

**213 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M-58759-2022
Date of Decision: 16.02.2023**

ANKUSH	V/S	... PETITIONER
STATE OF HARYANA		... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. A.S. Lamba, Advocate for the petitioner.
Mr. Ranvir Singh Arya, Addl. AG Haryana.

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VIVEK PURI, J. (ORAL)

Petitioner is seeking regular bail in case bearing FIR No. 122 dated 04.03.2020 under Section 302 IPC registered at Police Station City Hisar.

Custody certificate has been taken on record.

Status report by way of affidavit of SI Vinod Kumar, Investigating Officer, the then SHO PS City Hisar, on behalf of the State has been taken on record.

Briefly, the FIR has been registered on the basis of the statement of Krishan Kumar alleging that on 04.03.2020, he received an information that the dead body of his son Mohit was lying in the room of a house. In the CCTV footage, it was found that the petitioner had arrived in the house on a scooty and after some time he was spotted to be coming out of the house.

Learned counsel for the petitioner contends that the case of the prosecution is based upon the circumstantial evidence and he has been falsely implicated and the petitioner is in custody for a period of about 2

years and 11 months.

Learned State counsel has opposed the bail application on the score that the petitioner has been spotted in the CCTV footage which indicates that he along with the deceased were in the house where the occurrence took place. Besides, a *sua* and brick have been recovered in pursuance of the disclosure statement of the petitioner. As per the report of the chemical examiner, the *sua*, brick and shoe of the petitioner were found to be stained with human blood. Moreover, the call detail between the petitioner and the deceased have also been procured which indicates their frequent talk on the mobile phone. Furthermore, out of 22, 13 witnesses have been examined and 3 witnesses have been given up. Only 6 witnesses remain to be examined.

The petitioner is spotted in the CCTV footage while entering and coming out of the house where occurrence took place, the weapons have been recovered in pursuance of the disclosure statement and the same along with the shoes of the petitioner were found to be stained with human blood. Besides, only 6 witnesses remain to be examined.

Keeping in view the circumstances emerging in the case and the gravity of offence, no ground is made out to extend the concession of regular bail to the petitioner.

Dismissed.

16.02.2023

Janki

(VIVEK PURI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No