

In the High Court of Punjab and Haryana, at Chandigarh**Criminal Misc. No. M-65510 of 2023****Date of Decision: 29.12.2023**

Ravinder Kumar alias Ravinder and Another

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.Present: Mr. Parveen Kumar, Advocate
for the petitioner(s).Mr. Vivek Saini, Additional Advocate General,
Haryana, for the respondent.**Anil Kshetarpal, J.**

1. The petitioners pray for the grant of pre-arrest bail in a criminal case arising from FIR No. 577 dated 26.06.2021, registered under Section 120-B, 201, 302 and 364 of the Indian Penal Code, 1860, at Police Station Sadar, Karnal.

2. The learned counsel representing the petitioners submits that the police, after completing the investigation, did not find any material against them and they have been summoned under Section 319 of the Code of Criminal Procedure, 1973, as additional accused as it appears from the evidence that such person has committed a crime for which he ought to be tried together with the accused. He submits that the custodial interrogation in such circumstances is not required.

3. On the other hand, the learned State counsel, while drawing the

attention of the Court to page No. 10 of the order dated 02.11.2023 passed

by the Sessions Court, submits that in fact, there is a CCTV footage along with DVR of three cameras to prove the involvement of the petitioners in the heinous crime of honour killing. He further submits that Ravinder Kumar alias Ravinder (petitioner) is brother, whereas Jayant Pawar is cousin of Anita, who has also died.

4. While summoning the petitioners, the observations made by the Sessions Court read as under:-

“...In so far as the evidence of last seen together/ pursuit of the deceased by the assailants, there is on record the CCTV footage alongwith DVR of the three cameras installed, two at the house of Balkar Singh overlooking the chowk adjacent to the house of Anita and the other at Rajbaha near Ravidas Temple. Learned counsel for the complainant has given a detailed synopsis/ analysis from the recording of CCTV cameras on record, which clearly show that while Jayant Pawar (JP) had reached the house of Anita alongwith the accused Amit and Manoj Kumar prior to/ at the time of initial assault, the said Jayant Pawar (JP) could also be seen actively chasing the deceased with weapon in his hand. Further, Ravinder could also be seen as having joined the pursuers in search of Rocky @ Ricky, which clearly establishes that the proposed accused Jayant Pawar (JP) and Ravinder had been acting conjointly with other accused presently facing trial. Here, it deserves to be reiterated that after the pursuit of Rocky @ Ricky by the assailants, he went missing till his dead body was recovered from canal on

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23.06.2021 with the postmortem conducted on 24.06.2023 suggesting that the probable time between death and postmortem examination was two to three days meaning thereby that after the initial assault in the house of Anita, Rocky @ Ricky was kept confined in some undisclosed location and finally, after he died on account of the multiple head injuries inflicted upon his person, his dead body with the hands and feet tied was dumped into the canal.”

5. The Sessions Court has also found that if the petitioners are granted the concession of anticipatory bail, they are likely to influence the prosecution witnesses and abscond from the process of the law.

6. In this case, the boy, namely Rocky alias Ricky is alleged to have been murdered for which an FIR was registered. He was alleged to have married with late Smt. Anita against the wishes of her family members. Anita is stated to have died by hanging. However, the learned State counsel submits that an FIR in this regard has also been registered and the police is investigating the matter.

7. Keeping in view the aforesaid facts, this Court does not find it appropriate to grant the concession of pre-arrest bail to the petitioners. Hence, the present petition is dismissed.

(Anil Kshetarpal)
Judge

December 29, 2023

“DK”

Whether speaking/reasoned :Yes/No

Whether reportable : Yes/No