

CRM-M-8279-2024
Date of decision: 16.02.2024

...PETITIONER

V/S

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Mohit, Advocate for the petitioner.

Ms. Geeta Sharma, DAG, Haryana.

HARPREET SINGH BRAR J. (ORAL)

The petitioner through the instant petition filed under Section 438 Cr.P.C. is praying for grant of anticipatory bail to him in case bearing FIR No.423 dated 12.12.2022 registered under Sections 147, 148, 149, 323, 379-B, 427, 452, 506 of Indian Penal Code (Sections 324, 302, 307, 325, 120-B of Indian Penal Code and Section 25 of Arms Act, 1959 added later on) at Police Station Bhuna, District Fatehabad.

2. Learned counsel for the petitioner *inter alia* contends that the petitioner is not named in the FIR and no overt act is attributed to the petitioner. Injury caused to the deceased is specifically attributed to co-accused and the petitioner has been nominated only on the basis of disclosure statement made by co-accused, while being in police custody and similarly situated co-accused namely, Suresh was granted the concession of anticipatory bail, by a Co-ordinate Bench of this Court vide order dated 17.05.2023 in case bearing CRM-M No.22135 of 2023 titled as Suresh Vs. State of Haryana (Annexure P-3) and other similarly situated co-accused have also been granted the

concession of regular bail by this Court vide orders dated 29.11.2023,

05.12.2023 and 25.01.2024 annexed as Annexures P-4 to P-6 respectively.

3. Per contra, learned State counsel submits that the petitioner has actively participated in the alleged incident and his role has been duly established during the investigation and the allegations against the petitioner are that he, along with his co-accused, in pursuance of criminal conspiracy, gave injuries to Mukesh, which resulted into his death. The allegations against the petitioner are serious in nature. As such, he is not entitled to be released on anticipatory bail and his custodial interrogation is required.

4. Having heard learned counsel for the parties and after going through the record, this Court finds no ground to grant anticipatory bail to the petitioner. As such the present petition stands dismissed on merits.

February 16, 2024

manisha

(HARPREET SINGH BRAR)
JUDGE

- | | | |
|------|---------------------------|--------|
| (i) | Whether speaking/reasoned | Yes/No |
| (ii) | Whether reportable | Yes/No |