

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

103.

CRM-M No.10249 of 2024

Date of Decision:27.02.2024

Vikas

... Petitioner

Versus

State of Haryana

... Respondent

CORAM : HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Mohit, Advocate
for the petitioner.

HARPREET SINGH BRAR, J. (ORAL)

1. The present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR No.423 dated 12.12.2022 registered under Sections 147, 148, 149, 323, 379-B, 427, 452, 506 IPC (Sections 324, 302, 307, 325, 120-B IPC and Section 25 of the Arms Act added later on) at Police Station Bhuna, District Fatehabad.

2. Learned counsel appearing for the petitioner *inter alia* contends that the petitioner is not named in the FIR nor any over act is attributed to him. The injury caused to the deceased is specifically attributed to the co-accused and the petitioner has been nominated in the present case on the basis of disclosure statement of co-accused Ram Niwas while in police custody, which has no evidentiary value in the eyes of law. It is further contended that similarly situated co-accused is granted concession of anticipatory bail vide order dated 17.05.2023 passed in CRM-M No.22135 of 2023 titled as *Suresh vs. State of Haryana*.

3. Per contra, Ms. Geeta Sharma, DAG, Haryana, who appears on advance notice, submits that the petitioner has actively participated in the alleged

incident and his role has been duly established during investigation. There is sufficient material available on record to prove the complicity of the petitioner in the alleged incident. As such, custodial interrogation of the petitioner is required.

4. Having heard learned counsel for the parties and after perusing the record of the case, this Court finds no ground to grant anticipatory bail to the petitioner. The allegations levelled in the FIR are serious in nature and therefore, custodial interrogation of the petitioner is required. Consequently, the instant petition stands dismissed.

(HARPREET SINGH BRAR)
JUDGE

February 27, 2024

Pankaj*

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