



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

212 CRM-M-12442-2024 (O&M)
Date of Decision.:21.05.2024

RaviPetitioner
Vs.
State of HaryanaRespondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Roopak Bansal, Advocate
for the petitioner.

Mr. Randhir Singh, Addl. AG, Haryana.

DEEPAK GUPTA, J. (ORAL)

CRM-21472-2024:

This is an application under Section 482 Cr.P.C. moved by the petitioner to place on record the CCTV footage as Annexure P-7 and the screen shots obtained from the CCTV footage as Annexure P-8 & P-9.

2. Learned counsel submits that Annexure P-7 to Annexure P-9 have been taken by him from the copy of challan supplied to him.
3. Allowed.
4. Annexure P-7 to Annexure P-9 are taken on record.

CRM-M-12442-2024:

5. The petitioner is seeking regular bail by way of petition filed under Section 439 Cr.P.C in case FIR No.145 dated 14.04.2022 registered

**CRM-M-12442-2024 (O&M)****-2-**

under Section 302 of the IPC registered at Police Station Badshahpur, District Gurugram.

6. This is the third petition. The earlier two petitions bearing No.CRM-M-28292-2023; CRM-M-47468-2023 were dismissed as withdrawn vide orders dated 03.07.2023 and 07.11.2023 respectively (Annexure P-5 & P-6).

7. Reply by way of an affidavit of Shri Surender Singh, HPS, Assistant Commissioner of Police, Badshahpur, Gurugram, Haryana has been filed on behalf of respondent- State.

8. FIR was lodged on the statement of Sulekha Dutta, the wife of deceased Janardhan. According to her, they were residing on third floor in Neelkanth Enclave, Badshahpur. Some portion of the house had been given on rent. On 13.04.2022, bell of the third floor rang. Her husband Janardhan opened the door and went downstairs. After some time, Sunita, care taker informed the complainant that her husband Janardhan was lying on the first floor. Complainant went there and saw her husband lying on the floor with injury mark on his neck and blood lying on the floor. Her husband was shifted to Medicity Hospital, Gurugram in injured condition where he was declared brought dead.

9. FIR was lodged against unknown persons. During investigation, CCTV cameras installed near the place on occurrence were taken into possession and statements of witnesses recorded. On the basis of analysis of the CCTV footage, petitioner was arrested on 15.04.2022. He was

**CRM-M-12442-2024 (O&M)****-3-**

interrogated during which he suffered disclosure statement admitting his involvement in the crime. The poker used for the purpose of breaking ice, used in the crime was recovered at the instance of petitioner on 17.04.2022. Apart from this, blood stained clothes of the petitioner, which he was wearing at the time of commission of crime were also recovered on 18.04.2022. The sealed parcel containing the blood stained clothes of the deceased; as well as the sealed parcel containing the blood clothes of the petitioner were sent to FSL apart from the weapon of crime recovered from the petitioner. The report of FSL was obtained which indicates that human blood was present on all the clothes as well as the weapon of crime recovered from the petitioner. After conclusion of investigation, final report under Section 173 Cr.P.C. was filed before the Court. Out of 32 witnesses cited by the prosecution, testimony of 17 witnesses has already been recorded.

10. It is contended by learned counsel that petitioner has been falsely implicated; that material witnesses have already been examined; that further trial is likely to take long time to conclude; that petitioner is in custody for the last more than 02 years. Apart from this, learned counsel has drawn attention towards the screenshots Annexure P-8 & P-9 taken from the CCTV footage, in order to contend that petitioner is shown to be present in the street of the deceased at 04:28:17 p.m. and then shown to be running from the place at 04:28:25 p.m. Learned counsel contends that there is a gap of only 08 seconds, within which the alleged offence could not have been

**CRM-M-12442-2024 (O&M)****-4-**

committed and so, the story propounded by the prosecution against the petitioner is not probable.

11. Strongly opposing the bail petition, learned State counsel points out that presence of the petitioner at the spot of crime is quite evident from the CCTV footage; that trial is likely to be concluded soon and that poker used in the crime as recovered at the instance of petitioner was found to be stained with blood. Even the clothes worn by the petitioner at the time of crime were found to be stained with human blood and that there is no explanation on the part of the petitioner as to how the human blood appeared on his clothes. Learned State counsel has also drawn attention towards the gravity of the offence which entails punishment even up to death. Prayer is made for dismissal of the petition.

12. I have considered submissions of both the sides and have perused the record carefully.

13. By drawing attention towards the CCTV footage and the screenshots, petitioner himself admits his presence at the spot of crime. Whether within the short duration, the crime could have been committed or not, will be matter of trial depending upon the evidence which is produced during trial. At this stage, Court cannot ignore the gravity of the offence which entails punishment up to death. Most of the prosecution witnesses have been examined and so, trial is expected to be concluded soon.

14. Having noticed all the aforesaid facts and circumstances, particularly the nature and gravity of the offence, but without commenting



CRM-M-12442-2024 (O&M)

-5-

anything further on the merits of the case, this Court is not inclined to grant benefit of bail to the petitioner.

Dismissed.

(DEEPAK GUPTA)
JUDGE

May 21, 2024
Neetika Tuteja

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No