



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

226

CRM-M-36797-2024

Date of decision: 07.08.2024

Ankit alias Kala

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Sanpreet Sandhu, Advocate
for the petitioner.

Mr. Gagandeep Singh Chhina, AAG, Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner in the present (second) petition is seeking the concession of bail under Section 439 of the Cr.P.C. in case FIR No.708 dated 02.08.2018 under Sections 302, 201, 379-b, 34 of the IPC (Section 346 of the IPC deleted lateron) registered at Police Station Old Industrial Panipat (now Model Town), District Panipat.

2. Learned counsel for the petitioner submits that the petitioner has been in custody since 12.08.2018 in a case of false implication. The trial has not concluded till date and hence, the petitioner cannot be made to languish in custody for an indefinite period. It has further been submitted that the case at hand rests on circumstantial evidence; he came to be nominated in the present case on the basis of a disclosure statements of the petitioner himself made in another FIR which on the face of it, is an inadmissible piece of evidence. It has also been submitted that initially a missing report qua



CRM-M-36797-2024

the deceased, was lodged by the complainant under Section 346 of the IPC and no suspicion was raised qua the involvement of the petitioner in the crime in question, however, later on the basis of the aforesaid disclosure statement and no other cogent evidence much less evidence of last seen, the petitioner was arraigned as an accused in the present case. A prayer has, therefore, been made to enlarge the petitioner on bail.

3. Per contra, learned State counsel while opposing the prayer made by learned counsel for the petitioner, on instructions, has not disputed that the present case hinges on circumstantial evidence. However, learned State counsel has submitted that the petitioner along with his co-accused had hired the taxi of the deceased for going to Haridwar; on way to Haridwar driver of the taxi i.e. the deceased was killed, his dead body was thrown into the canal and all the accused including the petitioner thereafter drove away in his vehicle i.e. Swift Dzire Car. Thereafter, the petitioner along with the co-accused were stopped by the police in the State of U.P. and on checking it was revealed that the accused did not have the documents of the car; when the petitioner and the co-accused were interrogated, it came to light that they were involved in the murder of the deceased. It has been further submitted by the learned State counsel that a perusal of the custody certificate which has been filed today, clearly reveals that the petitioner is a man of criminal antecedents as he is involved in serious and heinous crimes in the State of Haryana as well as in the State of U.P. It has also been submitted by the learned State counsel that the trial is



CRM-M-36797-2024

nearing conclusion as only 06 prosecution witnesses remain to be examined.

4. I have heard learned counsel for the parties and perused the material placed on record.

5. Prima facie there are serious allegations against the petitioner in the FIR in question. Since the trial is nearing conclusion coupled with the fact that the petitioner is admittedly involved in a number of criminal cases which included heinous crimes, this Court does not deem it fit to extend the concession of bail to the petitioner.

6. Accordingly, the instant petition is hereby dismissed.

7. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

07.08.2024

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**(MANJARI NEHRU KAUL)
JUDGE**

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