

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

234 CRM-M-55900-2023
Date of Decision.:10.01.2024

Anurag @ KaliPetitioner
Vs.
State of HaryanaRespondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Shilak Ram Hooda, Advocate
for the petitioner.

Mr. Sumit Jain, Addl. AG, Haryana.

DEEPAK GUPTA, J. (ORAL)

Status report by way of an affidavit of (Shamsher Singh), HPS, Deputy Superintendent of Police, City Jhajjar, District Jhajjar along with custody certificate has been filed on behalf of respondent- State.

2. The petitioner is seeking regular bail by way of petition filed under Section 439 Cr.P.C in case FIR No.197 dated 16.05.2022 registered under Sections 302, 34, 120-B, 379-B, 511 of the IPC and Section 25 of Arms Act registered at Police Station City, Jhajjar.

3. Allegations as per the FIR are that Sonu was shot dead by three-four young boys who had come with muffled faces.

4. Reply filed by respondent- State reveals that with the help of CCTV footage, the killers were identified as Rohit S/o Hardwarilal, Monu @ Yogesh S/o Anup, Anurag @ Kali S/o Narender (present petitioner) and Deepak S/o Netram. During disclosure statement of the arrested accused it

was revealed that weapons to them were supplied by Sandeep @ Bholu. It was also found during investigation that after committing the crime, one of the killer namely Monu had returned the pistol to Sandeep @ Bholu which was later on recovered from him.

5. It is contended by learned counsel that petitioner has been falsely implicated; that he does not belong to the same village and had no communication with the deceased; that there was no money transaction between Sonu and Anurag and so, there could be no reason for the petitioner to have committed the crime. Learned counsel also contends that it is the case of single injury which is attributed to co-accused Monu @ Yogesh; that co-accused Sandeep @ Bholu has already been allowed bail by this Court vide order dated 03.03.2023. Learned counsel further contends that petitioner is young student of 21 years and is in jail since 22.05.2022 and so, in all these circumstances he be allowed bail.

6. Learned State counsel has strongly opposed the bail petition by pointing out that with the help of CCTV footage taken from the neighboring shop, it was found that petitioner along with three others had committed the crime. It was also found during investigation that petitioner had also fired upon the deceased.

7. Having considered submissions of both the sides this Court is not inclined to grant bail to the petitioner. Allegations against the petitioner are quite serious. Offence is grave and punishment is up to death sentence. There is direct attribution to the effect that petitioner along with co-accused, killed the deceased. As far as grant of bail to the co-accused Sandeep @

Bholu is concerned, the attribution to him is to have provided weapons to the killers and therefore, petitioner cannot claim parity with co-accused Sandeep @ Bholu.

8. Having regard to the above facts and circumstances, but without commenting anything further on the merits of the case, this petition is hereby dismissed.

(DEEPAK GUPTA)
JUDGE

January 10, 2024

Neetika Tuteja

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