



CRM-M-37465-2024

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**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

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CRM-M-37465-2024

Date of decision: 14th February, 2025

Deepak @ Dhillla @ Romio

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Sandeep Gehlawat, Advdocate for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

MANISHA BATRA, J (ORAL):-

The present petition has been filed by the petitioner seeking grant of regular bail in case bearing FIR No. 41 dated 22.01.2023 registered under Section 302 of IPC read with Section 25 of Arms Act, 1959 (Section 34 of IPC added later on) at Police Station Sampla, District Rohtak.

2. As per the prosecution case, on 22.01.2023, the dead body of victim Manish was found lying in a street at village Pakasma. A gunshot injury was found in the chest of the dead body which was identified by the complainant-Tokha Ram i.e. father of the deceased. A case under Section 302 of IPC read with Section 25 of Arms Act was registered. Investigation proceedings were initiated. Post-mortem examination of the dead body was conducted. Subsequently, the complainant recorded his supplementary statement alleging that the petitioner had committed murder of the victim



due to some enmity. The petitioner was nominated as an accused and was arrested on 24.01.2023. He was interrogated and suffered disclosure statement admitting his involvement in the murder of the victim and got recovered one empty bullet cartridge, a country made pistol and his samsung mobile phone. The co-accused Rohit @ Chota was nominated as such on the basis of disclosure statement and he too was arrested. Investigation stands concluded.

3. The present petition has been filed by the petitioner on the grounds and it is argued by his counsel that he has been falsely implicated in this case. He was not nominated in the FIR. The deceased himself was a notorious kind of person as admitted by the complainant himself. There is no eye-witness to the occurrence. The case is based upon circumstantial evidence and there is no circumstance to connect the petitioner with the murder of the victim. A false recovery of weapon has been planted upon the petitioner. He is in custody since long. The complainant himself had moved an application under Section 311 of Cr.P.C. on the allegations that the victim was in contact with a female Priyanka Pal and for summoning Nodal Officer of the Tele Communication Company along with the call detail record of the victim to show that he had been changing calls with the above said Priyanka Pal, which suggests that the petitioner has been wrongly implicated in this case. Trial is likely to take time. His further detention would not serve any useful purpose. Therefore, it is urged that he deserves to be released on bail.

4. Status report has been filed by the respondent-State. It is argued that the Assistant Advocate General, Haryana that there are serious allegations against the petitioner. The weapon of offence was recovered at



his instance. FSL report is still pending. The petitioner has criminal antecedents as he is involved in two more criminal cases. The trial might be expedited. Therefore, it is urged that the petition does not deserve to be allowed.

5. I have heard learned counsel for the parties at considerable length and have gone through the record carefully.

6. The petitioner is alleged to have committed murder of the victim Manish by firing a shot upon him. The weapon of offence is alleged to have been recovered from him. The trial has commenced. There is nothing on record to show that there would be any undue delay in conclusion of the same. Keeping in view the nature of the allegations as levelled against the petitioner, the quantum of sentence which the conviction may entail and the attendant facts and circumstances of the case but without meaning to make any comment on the merits thereof, I am of the considered opinion that the petition does not deserve to be allowed. Hence, the same is dismissed.

7. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

14th February, 2025

Parveen Sharma

1. *Whether speaking/ reasoned*
2. *Whether reportable*

: *Yes / No*
: *Yes / No*