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

**CRM-M-48061-2024
Decided on:01.03.2025**

Anmol**...Petitioner****Versus****State of Haryana****...Respondent****Coram : Hon'ble Mrs. Justice Manisha Batra**

Present: Mr. R.N.Lohan, Advocate, and
Mr. Ajay Kumar Yadav, Advocate, for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

Manisha Batra, J.

1. The instant petition has been filed by the petitioner for grant of regular bail to him, during the pendency of trial, in a case arising out of FIR No.34 dated 13.02.2024, registered under Section 25 of the Arms Act and Section 302 IPC, 1860 (Section 25, 29(a) of Arms Act and Section 201, 34, 397 of IPC, 1860 added lateron) at Police Station Baruda, District Sonipat.
2. The adumbrated facts emanating from the record are that the aforementioned FIR was registered on the basis of a complaint lodged by complainant Karambir on 13.02.2024 alleging therein that on the same day, on receipt of an information regarding death of his cousin brother Parmod due to sustaining some fire arm injury and his dead body being lying on the road, he had reached on the spot and identified the dead

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body. He alleged that some unknown persons had killed his cousin brother. After registration of FIR, investigation proceedings were initiated. Post mortem of the dead body and inquest proceedings were conducted. CCTV footages of the cameras installed in the vicinity and toll plaza were obtained. On 14.02.2024, accused Sandeep, who was arrested in another case bearing FIR No.37 dated 14.02.2024, registered under Sections 186, 353, 307 of IPC and Section 25(1-B)(a) of the Arms Act at Police Station Baruda, District Sonipat was interrogated and suffered a disclosure statement admitting his involvement in the murder of the victim and also disclosed about the complicity of the present petitioner and co-accused Arun in the same. On the basis of his disclosure statement, the present petitioner was arrested on 19.02.2024. He too was interrogated and suffered disclosure statement to the effect that on the fateful day, he alongwith co-accused had left for robbing some vehicle in his Wagon-R car and had found the victim sitting in a car in the area of flyover of village Rukhi. They had caught hold of the victim and co-accused Sandeep had fired a shot with his pistol thereby killing him and then they had left the spot alongwith the car of the victim. In pursuance of the disclosure statement, he also got recovered the car used by him at the time of occurrence. The co-accused were also arrested subsequently. The investigation has been concluded and presently the petitioner alongwith co-accused is facing trial for commission of the aforementioned offences.

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3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case on the basis of the disclosure statement of the co-accused, which cannot be considered to be admissible in evidence. He is in custody since long and his custodial interrogation is no more required and also the trial is likely to take a long time. It is further submitted that there is no direct evidence to the murder of the victim and the case is based on circumstantial evidence and no circumstance has come on record to connect the petitioner with the subject offences. With these broad submissions, it is urged that the present petition deserves to be allowed.

4. Status report has been filed by the learned State counsel. It is argued by the learned AAG, Haryana that there are serious and specific allegations against the petitioner. The trial has commenced and is going in a proper pace. There is nothing to show that there would be any undue delay in conclusion of the same. The material witnesses are yet to be examined and there are chances of the petitioner's absconding and intimidating the witnesses if extended the benefit of bail. Therefore, it is urged that the petitioner does not deserves concession of bail.

5. I have heard learned counsel for the parties and have gone through the record with their able assistance.

6. The petitioner along with co-accused is alleged to have committed murder of the victim on the intervening night of 12/13.02.2024. He is further alleged to have robbed the car of the victim. Recovery of the car which was used by the petitioner at the time of occurrence stands effected

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from him. The allegations against the petitioner are quite serious in nature. The material witnesses are yet to be examined. The FSL report is also awaited. The contention that the petitioner may abscond or intimidate the witnesses cannot be stated to be unfounded at this stage.

7. Keeping in view the above discussed facts, but without meaning to make any comments on the merits of the case, lest the same prejudices the trial, I am of the considered opinion that the petitioner does not deserve to be extended the benefit of regular bail at this stage. Accordingly, the present petition is dismissed.

March 01, 2025
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(Manisha Batra)
Judge

Whether Speaking/Reasoned: **YES/NO**
Whether Reportable: **YES/NO**