

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM No.M-25021 of 2015

Date of Decision: August 20, 2015

Daya Ram

...Petitioner

VERSUS

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Surender Lamba, Advocate
for the petitioner.

Mr.Satish Saini, Deputy Advocate General, Haryana
for the respondent-State.

Mr.Amit Chaudhary, Advocate
for the complainant.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 439 Cr.P.C.
for grant of regular bail in FIR No.295 dated 19.09.2014 under
Sections 302, 323, 452, 506 and 34 IPC, registered at Police Station
Bhattu Kalan, District Fatehabad.

Notice of motion was issued and learned State counsel as
well as learned counsel for the complainant appeared and contested
the petition.

The brief facts of the case are that FIR has been
registered on the statement of Ganga Singh. As per the prosecution
version, complainant along with his brother Kuldeep and mother was

sleeping in the outer courtyard of their house. At about 9.30 P.M., Daya Ram came in front of their house on a motorcycle and objected that they were not cleaning the main water course but utilizing the same by releasing the water in it. He also hurled abuses towards them. After some time, Daya Ram returned along with his father Om Parkash. Daya Ram gave a bottle blow on the forehead of Kuldeep and Om Parkash gave a saria blow to Kuldeep. The occurrence took place on 18.09.2014 and Kuldeep died on 21.09.2014 due to the injuries.

I have heard learned counsel for the parties as well as learned State counsel and have gone through the record.

The petitioner is named in the FIR. He was armed with a bottle and he gave bottle blow on the forehead of Kuldeep deceased, which means that he took active participation in the commission of the offence and specific role has been attributed to him.

In view of the above discussion and nature and gravity of offence, I do not find it a fit case where petitioner is entitled to benefit of grant of regular bail. Therefore, finding no merit in the present petition, the same is dismissed.

August 20, 2015
Vgulati

(INDERJIT SINGH)
JUDGE