

In the High Court of Punjab and Haryana at Chandigarh

Crl. Misc. No. M-25423 of 2015
Date of Decision: 24.8.2015.

Balbir Singh

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Suneel Ranga, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

Mr. Karan Singh, Advocate
for the complainant.

SABINA, J.

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 seeking regular bail in FIR No. 226 dated 28.11.2013 under Section 148, 149, 302 of the Indian Penal Code, 1860 ('IPC' for short) and Section 323 IPC (added later on), registered at Police Station Sadar, Yamuna Nagar, Haryana.

Prosecution story, in brief, is that on 28.11.2013, complainant came to know at about 10.00 P.M. that his son Mohit had been taken away by Bunti alias Ronaldo alias Amit, Kashmira, Vishal Kabadi, Balvir (petitioner), Sunny, Ravi, Guchha, Sukarampal, Ram Lal, Lemon @ Sonu, Kaka, Sumit Rana, Sunny Darjni, Ramesh Kumar, Thakar Kamboj, Niku, Bunti Dhori, Pardeep, Monu, Gulu along with some other boys towards Jagadhari side and they had given beatings to

him. Due to this reason, Mohit succumbed to his injuries and his dead body was lying in Civil Hospital, Yamuna Nagar. Thereafter the matter was investigated and statements of the eye witnesses were recorded. After completion of investigation and necessary formalities, challan was presented against the petitioner and his co-accused.

Learned counsel for the petitioner has submitted that the petitioner has been falsely involved in this case. In fact, all the male members of the family of the petitioner had been involved in the present case. Petitioner is in custody since 5.12.2013. One son of the petitioner was also in custody whereas the other son of the petitioner was suffering from illness i.e. fits.

Learned State counsel, who is assisted by the counsel for the complainant, on the other hand, has opposed the petition.

In the present case, allegations levelled against the petitioner are serious in nature. As per the post-mortem report, deceased had suffered 23 injuries. Petitioner has been duly named by the eye witnesses with regard to his participation in the occurrence.

Keeping in view the seriousness of allegations levelled against the petitioner, no ground for grant of bail to the petitioner is made out.

Dismissed.

**(SABINA)
JUDGE**

August 24, 2015
Gurpreet