

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

CRM-M-2619-2015 (O&M)

Date of decision : 30.01.2015

Nathi Ram

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Deepak Goyal, Advocate,
for the petitioner.

Ms. Trishanjali Sharma, AAG, Haryana.

JITENDRA CHAUHAN, J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure (for short, 'the Cr.P.C.') seeking regular bail in case FIR No.158 dated 28.07.2014, registered under Sections 323, 302, 34 of the Indian Penal Code, (for short, 'the IPC') at Police Station Sadar, Yamunanagar.

It is contended that there is no allegation against the petitioner of inflicting any injury to the deceased-child in the FIR. The alleged incident took place at about 6.00 AM on 28.07.2014, whereas, the FIR came to be lodged at 4.00 PM on the same day. The delay has been utilized to concoct a story and falsely implicate the petitioner. On

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the contrary, the wife and son of the petitioner were given beatings by the complainant party. The petitioner is in custody since 29.07.2014.

On the other hand, the learned State counsel, on instructions, submits that six month's old child of the complainant has died in the incident, therefore, she prays for dismissal of the present petition.

Heard.

Keeping in view the gravity of the offence and the fact that the trial is yet to commence, no case of bail is made out.

Dismissed.

30.01.2015
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(JITENDRA CHAUHAN)
JUDGE

Note : Whether to be referred to reporter ? Yes / No