

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-41750 of 2015

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Date of decision:17.12.2015

Dharambir and another

...Petitioners

v.

State of Haryana

...Respondent

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Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. R.S. Rai, Senior Advocate with Mr. Gautam Dutt, Advocate for the petitioners.

Mr. Anmol Malik, Assistant Advocate General, Haryana, for the respondent-State.

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Inderjit Singh, J.

The petitioners have filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.119 dated 11.6.2015 registered for the offences under Sections 216, 332, 353, 333, 323, 307 and 506 IPC read with Sections 146 and 147 of Railways Act at Police Station GRP Faridabad, District Faridabad.

Notice of motion to Advocate General, Haryana.

On the asking of the Court, Mr. Anmol Malik, learned Assistant Advocate General, Haryana has put in appearance on behalf of the respondent-State and accepted notice and contested this petition. Police record is also available.

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I have heard learned senior counsel for the petitioners and learned Assistant Advocate General, Haryana appearing for the respondent-State and have gone through the record.

As per the prosecution case, the main allegations are that petitioner No.1 Dharambir, with whom the quarrel took place at about 5.30 p.m. and in the evening, as per the FIR three-four boys came in a Maruti car and caused the injuries to the complainant, who is a Gateman of Railway Crossing and also to Narayan and Dharam Dass. After registration of the FIR, again supplementary statement was given in which it was stated by the complainant that Dharambir and Sudesh alias Tunda were among those boys who caused the injuries. Three injuries on the person of complainant-Bir Singh have been declared dangerous to life. There are two fractures on the leg of Narayan by blunt weapon. Dharam Dass also received simple injuries. The case is at preliminary stage. There is every chance that if the petitioners are released on bail they may tamper with the evidence. Otherwise also, in view of the nature and gravity of offences, I do not find it a fit case where the present petitioners are entitled to the benefit of regular bail.

Therefore, finding no merit in this petition, the same is dismissed.

December 17, 2015.

(Inderjit Singh)
Judge

hsp