

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

CRM No.M-6069 of 2015

Date of decision: 18.03.2015

Neetu

...Petitioner

Versus

State of Haryana

...Respondent

**CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN**

Present: Mr. B.S. Tewatia, Advocate for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana  
for the State.

\*\*\*\*

**Jitendra Chauhan, J. (Oral)**

This is the second petition under Section 439 of the Code of Criminal Procedure is for grant of regular bail in case FIR No.479 dated 01.08.2014, registered under Sections 323, 506, 307 and 34 of the Indian Penal Code (for short 'IPC'), at Police Station City Ballabgarh, District Faridabad. The first bail petition was dismissed as withdrawn on 18.11.2014.

It is contended that the occurrence in the instant case took place on 20.07.2014 and the matter was reported to the police on 31.07.2014, after a delay of ten days of the occurrence. The petitioner was not present at the time of occurrence and he has been falsely implicated in the present case. The main injury has been

attributed to co-accused Bittu and the other injuries were declared to be simple in nature. The petitioner is in custody since 03.08.2014.

On the other hand, the learned State counsel refers to the endorsement made by the concerned doctor to the effect that due to the severe injury over the part of brain, the speaking faculties of the victim have been severely impaired. The learned State counsel states that due to the injuries suffered by the injured, he is still unable to speak and unable to remember the incidence. Therefore, the present bail deserves to be dismissed.

The injured-Umesh hospitalized from 31.07.2014 to 19.08.2014 for about 20 days due to the injuries inflicted by the petitioner along with his other co-accused. The receipt of injuries are so grievous due to which, he is unable to speak and remember the incidence. Keeping in view the nature of injuries, the effect thereof and the role of the petitioner, without commenting anything on merits of the case, the Court feels that no case for bail is made out.

Dismissed.

18.03.2015

*sumit.k*

**(JITENDRA CHAUHAN)**  
**JUDGE**