

104

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

**Date of decision: December 14, 2016
CRM-M-43995 of 2016**

Sajjan Singh

.....Petitioner

Versus

State of Haryana and another

.....Respondents

CRM-M-43996 of 2016

Sajjan Singh

.....Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE A.B. CHAUDHARI

Present: Mr. A.K. Lamdharia, Advocate
for the petitioner (in both the petitions).

A.B. CHAUDHARI, J (Oral)

Notice of motion.

At the asking of the Court, Ms. Tanushree Gupta, DAG
Haryana accepts notice on behalf of the State.

These two petitions have filed by the petitioner-Sajjan
Singh for cancellation of regular bail granted by this Court vide order
dated 23.09.2016 to Kaptan and order daetd 04.10.2016 to Rajesh @
Kala in FIR No.83 dated 23.02.2016, under Sections 148, 149, 120-B,
302 of Indian Penal Code, 1860, registered at Police station Madlauda,
District Panipat.

Heard learned counsel for the rival parties at length.

Learned counsel for the petitioner-complainant, in support of these petitions seeking cancellation of bail of Kaptan and Rajesh @ Kala, vehemently argued that there is ample material available on record against these accused persons and therefore, the order granting regular bail is required to be revoked by cancelling the order of bail. He then submitted that there is only death of Pale Ram and there are injured also. Respondents-accused persons had formed an unlawful assembly and attacked the deceased as well as injured persons with deadly weapons. They received severe injuries. He then submitted that, prima-facie, case is made out against the respondents in both these petitions and therefore, the regular bail granted to them is required to be cancelled.

With the assistance of learned counsel for the petitioner and learned State counsel, I have perused the FIR and the statements. The medical opinion shows that Pale Ram had only one injury which is simple in nature and died because of cardiac arrest. In that view of the matter, theory of prima-facie story of the prosecution that several persons caused injuries to Pale Ram and died thereafter, will have to be taken with the pinch of salt. Be that as it may, this Court has taken care of the prosecution witnesses. In as much as while granting bail, this Court asked the respondents-accused persons not to enter the place where the victim-complainant and other witnesses reside. I think that will sufficiently take care of the prosecution witnesses as the respondents-accused persons have agreed to remove themselves from

the said place of residence of the witnesses and the victim.

For the above reasons and in the absence of any complaint against the respondents-accused persons post grant of bail, both these petitions are required to be dismissed.

Hence, CRM-M-43995 of 2016 and CRM-M-43996 of 2016 stand dismissed, accordingly.

(A.B. CHAUDHARI)
JUDGE

December 14, 2016
mahavir

Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No