

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-14343 of 2017 (O&M)
Date of Decision: 02.05.2017

Ravish Kumar @ Ravi

--Petitioner

Versus

State of Haryana

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Ashwani Talwar, Advocate for the petitioner.

Mr. Satish Saini, D.A.G., Haryana.

TEJINDER SINGH DHINDSA.J

This order shall dispose of the present petition filed under Section 439 Cr.P.C seeking the benefit of regular bail to the petitioner in case F.I.R. No.3 dated 15.1.2016 under sections 302, 323, 324, 341, 506, 34 I.P.C, registered at Police Station, Khizrabad, District Yamuna Nagar.

Learned counsel for the parties have been heard.

FIR came to be registered on the statement of Gaurav Kumar. Incident is stated to be of 14.1.2016 when the complainant along with Pardeep and Parvesh were going on a motorcycle and were accosted by three young boys, who had come on a motorcycle and had inflicted *lathi* and axe blows on the person of Parvesh and who succumbed to his injuries.

As per initial version of Gaurav Kumar complainant and on the basis of which the FIR had been registered the accused who came on a motorcycle were three in number and axe blows were delivered on the head of Parvesh (since deceased).

Petitioner was arrested on 19.1.2016.

Counsel has adverted to the deposition of PW-6 Gaurav Kumar, who was an eye witness to the occurrence recorded before the Trial Court

and placed on record at Annexure P-2. In the deposition the version set up is that four boys had come on a motorcycle and launched an attack on the complainant party including Parvesh (since deceased). In such deposition Gaurav has clearly stated it was co-accused Jasbir, who had inflicted a *Kulhari*/axe blows on the person of Parvesh.

In so far as the present petitioner is concerned, he is stated to be armed with a *danda* and had inflicted *danda* blows.

Learned State counsel upon instructions from ASI Karanpal would apprise the Court that all the material witnesses have since been examined.

Without making any observations on merits, present petition is allowed. Petitioner be enlarged on bail subject to satisfaction of Trial Court/Duty Magistrate, Yamuna Nagar.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

02.05.2017

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Whether speaking/reasoned: Yes
Whether Reportable: No