

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

**CRM-M-18261-2017
Date of decision :25.09.2017**

Balbir

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR.JUSTICE H.S. MADAAN

Present : Mr. Siddharatha Yadav, Advocate
for the petitioner.

Mr. Gaurav Bansal, AAG, Haryana.

H.S. MADAAN, J.

This is an application for grant of regular bail filed by Balbir an accused in FIR No.328 dated 19.12.2016 for offence under Sections 307, 323, 341, 326-A, 506 and 34 IPC, registered at Police Station Uchana, District Jind.

Briefly stated the prosecution story is that the criminal machinery in this case was set into motion by complainant Manoj Kumar son of Ved Singh resident of Bhonsla by way of making statement to the police on 19.12.2016. As per the facts of the case in terms of prosecution story on 17.12.2016 a quarrel had taken place between the complainant and

his neighbour namely Rakesh son of Balbir, Balbir son of Mauji Ram resident of Bhonsla, however that matter was resolved; that at about 11:00 a.m. while complainant was standing in the street in front of his house, Rakesh and Balbir arrived there raising a *Lalkara* to teach him a lesson, they dragged him to their house and gave him beatings; that the complainant raised alarm which attracted his elder brother Surender son of Ved Singh, Sonia daughter of Lehna, his aunt Indro wife of Chand Ram and his grandmother Shanti wife of Hazur Singh and Jitender son of his uncle Chand resident of Bhonsla, who tried to intervene to save him but accused Rakesh and Balbir brought acid from their house and threw the same on all of them resulting in causing of burn injuries to complainant, Surender, Sonia, Indro, Shanti and Jitender; that the injured were taken to hospital where they were medically treated. During investigation of case the accused were arrested. After completion of investigation they have been sent up to face trial. Trial against them is pending in the Court of Additional Sessions Judge, Jind and as per report received most of the witnesses including eye-witnesses are yet to be examined and that statement of only PW-Indro has been recorded so far.

I have heard learned counsel for the parties, besides, going through the record and I find that there is absolutely no ground to grant the regular bail to the petitioner considering the criminal acts attributed to him. This petitioner along with his co-accused are said to have abducted complainant Manoj Kumar taking him to their house and when his relatives hearing his alarm came to his rescue and tried to intervene, but petitioner and his co-accused brought acid and threw it upon them causing burn injuries to complainant, Surender, Sonia, Indro, Shanti and Jitender, such

type of brutal acts on the part of the petitioner especially when some of the victims happened to be innocent females cannot be taken lightly. Statements of all the witnesses are yet to be recorded. To rule out the possibility of the petitioner trying to tamper with the prosecution evidence by giving threat or inducement to prosecution witnesses or trying to abscond from the process of law, it is desirable that he should remain behind bars for the time being. The trial is going on and only during the trial it can be determined as to whether charge against the him stands proved or not. However, there is absolutely no ground to grant concession of bail to the petitioner, his request in that regard is declined and petition in that regard is dismissed.

25.09.2017

Gaurav Sorot

**(H.S. MADAAN)
JUDGE**

1. Whether reportable? **No**
2. Whether speaking / reasoned? **Yes**