

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-18267 of 2017 (O&M)
Date of Decision: 25.05.2017

Sunil

--Petitioner

Versus

State of Haryana

--Respondent

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

Present:- Mr. Vishal Nehra, Advocate for the petitioner.

Mr. Deepak K. Grewal, 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.113 dated 7.5.2016 under sections 323, 506, 34 I.P.C (section 302 I.P.C was added later on), registered at Police Station, Baroda, District Sonapat.

Learned counsel for the parties have been heard.

FIR came to be registered on the statement of Hari Kishan in relation to an occurrence that took place on 2.5.2016. As per allegations on account of a previous grudge the complainant was given severe beatings by the present petitioner as also co-accused Bijender @ Bijju.

Initially FIR was registered under sections 323, 506, 34 I.P.C. Hari Kishan subsequently having expired on 18.5.2016, offence under section 302 I.P.C was cited.

Petitioner has faced incarceration since 2.5.2016.

During the course of arguments counsel has adverted to the testimony of PW-2 Dr. Pankaj Keshwani and as per which Hari Kishan had expired due to cardio respiratory arrest.

It has also gone uncontroverted that material witnesses i.e. wife, son and brother of the deceased have not supported the prosecution version.

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

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

25.05.2017

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Whether speaking/reasoned: Yes

Whether Reportable: No