

CRM-M-19856-2017

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

**CRM-M-19856-2017
Date of Decision:27.10.2017**

Ramesh and another

... Petitioners

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Yogesh, Advocate for
Mr. Himanshu Puri, Advocate,
for the petitioners.

Mr. B.S.Virk, DAG, Haryana.

Mr. D.S.Matya, Advocate,
for the complainant.

INDERJIT SINGH, J.

Petitioners-Ramesh and Ravinder have filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.494 dated 27.12.2016, registered at Police Station Sector 40, District Gurugram, under Sections 302, 323, 452, 506 and 34 of the Indian Penal Code.

Notice of motion was issued. Learned State counsel has appeared on behalf of respondent-State and complainant has also appeared through his counsel. They contested this petition.

I have heard learned counsel for the parties as well as learned State counsel and gone through the record.

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From the record, I find that as per the FIR, both the petitioners are named. As per the prosecution version, on 27.12.2016, at 8.00 A.M, when the complainant was standing near his house, Ramesh stopped his Alto car in front of complainant's house and came out from the same having a *danda* in his hand. Ramesh told the complainant that he will teach him a lesson and abused him. Ramesh entered into his house and gave a *danda* blow on his head due to which his head got exploded. In the meantime, Balwanti, Poonam and Ravinder and Pinky forcibly entered into the house of the complainant and Ramesh and Ravinder again started beating him. Ravinder gave him a *danda* blow on his right hand and also gave fist blows to his *Bhabhi*. They also gave beatings to his mother and she died due to the beatings given by Ramesh and his family members.

As stated, the case has not been committed to the Court of Session so far which means that case is at preliminary stage.

Keeping in view the facts and circumstances of the present case, in view of nature and gravity of the offence and in view of the fact that case is at preliminary stage and there is every chance of tampering with the evidence, I do not find it a fit case where the petitioners are entitled to the benefit of regular bail at this stage.

Therefore, finding no merit in the present petition, the same is dismissed.

27.10.2017

parveen kumar

Whether speaking/reasoned

Whether reportable

:

:

**(INDERJIT SINGH)
JUDGE**

Yes

No