

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

CRL. MISC. No.M-27833 OF 2017
DATE OF DECISION : 9th AUGUST, 2017

Ravit & others

.... Petitioners

Versus

State of Haryana

.... Respondent

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

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Present : Mr. Anmol Rattan Sidhu, Senior Advocate with
Mr. Pratham Sethi, Advocate for the petitioners.
Mr. Chetan Sharma, AAG, Haryana.

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A. B. CHAUDHARI, J. (ORAL)

The petitioners have filed the present petition under Section 439 Cr.P.C. seeking regular bail in FIR No.180 dated 12.06.2016 registered under Sections 148, 149, 323, 324, 325, 506 & 307 IPC (Section 302 IPC added later on) at Police Station Sadar Panipat.

Heard learned counsel for the rival parties.

Following is the evidence in respect of the deceased Hari:

“The aforesaid persons followed Hari Singh upto a distance of about 1/1/ ½ acres. Joni struck his motor cycle with Hari and made him to fall down. Son of Sahab Singh gave a Binda blow to Hari. Sachin son of Rula Ram gave sword blow on his foot due to which foot of Hari sustained cut injury. Joginder son of Sahi Ram gave a gandasi blow on the head of Hari. Thereafter, Hare fell down and all the assailants caused injuries to him but I do not know which accused had caused which injuries to Hari.”

Insofar as the present petitioners are concerned the evidence is as follows :

“Ravit son of Ramesh gave me hockey blow. Vicky son of Jasmat inflicted injuries to me with wooden handle (Binda). Sheela son of Paras inflicted Gandasi blow on my right hand. Sumit son of Jagdish gave a pistol butt blow on my head. Rinku son of Rai Singh gave a iron bar blow on my both legs. Sunder son of Om singh gave a wooden handle blow on my back. Rajesh son of Prem gave sword blows on my legs. Sanjay son of Smt. Vishni was armed with a pistol. When he tried to give me pistol blow on my head, I raised my hand and saved. Ankush son of Rajinder gave sword blow on my legs. Jagdish son of Devi Singh gave Lathies blows on my back. Tej Pal son of Nar Singh gave iron bar blows on my back. Joni son of Sahab Singh was having a spade handle and gave its blow on my back and legs. Sachin son of Rula gave a sword blow on my head. Joginder son of Sahiya Ram gave Gandasi blows on my legs. Deepak son of Suresh gave wooden handle blows on my legs, hands and back.”

In view of the above evidence, I think, the petitioners should be entitled to grant of bail, though the main accused persons who caused death of Hari, have been attributed the main role.

However, the care will have to be taken to protect the interest of the prosecution, since the petitioners could easily tamper the prosecution witnesses.

In that view of the matter, learned counsel for the petitioners makes a statement on behalf of the petitioners that the petitioner would

not enter the limits of City Panipat till the completion of the trial. Hence,
I make the following order:

ORDER

- (i) The CRL. MISC. No.M-27833 OF 2017 is allowed.
- (ii) The petitioners be released on bail to the satisfaction of the CJM/Duty Magistrate, Panipat.
- (iii) The petitioners shall not enter the limits of City Panipat till the completion of the trial, save and except the dates of attendance before the trial Court in the present case and shall not apply for modification of this condition till then.
- (iv) The petitioner shall not tamper or influence the prosecution witness(es).
- (v) In case of violation of the above condition the liberty is reserved to apply for cancellation of bail.

9th AUGUST, 2017
‘raj’

(A. B. CHAUDHARI)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>