

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

**Crl. Misc. No.M-716 of 2017 (O&M)
Date of Decision: March 24, 2017.**

Rajat

.....PETITIONER(s).

VERSUS

Union Territory of Chandigarh

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Kamal Chaudhary, Advocate
for the petitioner.

Mr. Sukant Gupta, A.P.P. for U.T., Chandigarh

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.75 dated 09.03.2016 registered for the offence punishable under Section 302 read with Section 34 Indian Penal Code at Police Station Manimajra.

Heard.

Learned counsel for the petitioner argues that petitioner Rajat has not been attributed fatal injury to deceased Jasbir Singh. As per prosecution, he was giving beatings to the deceased which could not be a reason for his death.

Prosecution has examined PW1 Dharam Singh before whom, the petitioner and other co-accused facing trial and suffered extra judicial confession regarding the offence committed by them. They also disclosed

their plan to kill Jasbir Singh. Complainant had appeared as PW2 and has identified petitioner and his co-accused who were causing injuries to Jasbir Singh. He has further stated that all the three accused accompanied by his brother Dharam Singh had come to PGI, Chandigarh before their arrest by the police.

The evidence produced on file do not support the contention raised by learned counsel for the petitioner. While deciding bail application, it will not be appropriate to comment upon the evidence produced by the prosecution, as it may prejudice interest of the petitioner/accused or the prosecution. Keeping in view the fact that material witnesses have been examined who have fully supported the prosecution case, I find no reason to extend the benefit of regular bail to the petitioner. This bail application has no merits.

Dismissed.

March 24, 2017
Sachin M.

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No