

Sr. No.210

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM No. M-9564 of 2017 (O&M)

Date of Decision:27.03.2017

Ashok Kumar

... Petitioner

Versus

State of Haryana

... Respondent

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

Present:- Mr. Rahul Rathore, Advocate,
for the petitioner.

Mr. C.S.Bakhshi, Additional A.G., Haryana.

TEJINDER SINGH DHINDSA, J.(ORAL)

This order shall dispose of the present petition filed under Section 439 Cr.P.C. seeking benefit of regular bail to the petitioner pending trial in case FIR No.360 dated 02.06.2015, under Sections 302, 307, 324/34 IPC, registered at Police Station Sadar Karnal, District Karnal.

Counsel for the parties have been heard.

FIR came to be registered on the statement of Shamsheer Singh in relation to an alleged occurrence that took place on 02.06.2015 and wherein son of the complainant, namely, Parveen @ Gullu lost his life. Specific attribution of having inflicted a knife blow on the chest of Parveen (since deceased) is to co-accused Pawan Kumar non-applicant. The post-mortem report of deceased Parveen corroborates the version of the complainant and clearly indicates a knife blow attributed to co-accused Pawan Kumar and which was opined to be the cause of death.

Insofar as the present petitioner is concerned, in the statement

suffered injuries in the occurrence, Pawan Kumar is alleged to have gone to the shop of the petitioner and having taken a knife which though was not even used in the offence.

Complainant Shamsheer Singh in his statement has alleged that the present petitioner had passed on a knife to main accused Pawan Kumar.

Petitioner has been in custody since 03.06.2015.

State counsel would apprise the Court that out of 19 prosecution witnesses, only 02 have been examined till date.

Material witness Babu Ram who also suffered injuries in the alleged occurrence has already been examined before the trial Court. Co-accused Joginder, Shrawan, Om Parkash and Balkar have already been granted bail by this Court.

Without making any observations on merits, the petitioner is held entitled to the benefit of bail.

Petition is allowed. Petitioner be enlarged on bail subject to satisfaction of the trial Court/Duty Magistrate, Karnal.

Disposed of.

27.03.2017

vandana

(TEJINDER SINGH DHINDSA)
JUDGE

Whether speaking/reasoned

Yes

Whether Reportable

No