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

**CRM-M No.10658 of 2018
Date of Decision: 20.03.2018**

Anil Dhaka

.....Petitioner

Vs

State of Haryana

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. Manoj Kumar Sood, Advocate
for the petitioner.

Ms. Neelam Kashyap, D.A.G., Haryana.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.529 dated 11.09.2016 registered under Sections 148, 149, 302, 323, 506, 120-B IPC at Police Station S.G.M. Nagar, Faridabad.

Complainant Raj Rani alleged in the FIR that on the day of Holi, her son Rohit @ Fauji had a scuffle with Sehdev @ Bittu Rana. Due to that scuffle, Sehdev @ Bittu Rana used to give threats of killing to her son Rohit @ Fauji. Daughter of the complainant was also threatened. On 10.09.2016, when her son

and his two companions namely Prince and Lakshay Nagar went to take meal in City Spice Restaurant and were thinking of taking meal, then some unknown persons opened the door of the car from driver side and brought Rohit out of the car. Both the sides of the car were surrounded by 15-20 persons who were duly armed with weapons. Effort made by Rohit @ Fauji and Lakshay Nagar to inform the police went in vain. Rohit @ Fauji was badly beaten. He was taken to hospital in a serious condition where he succumbed to his injuries.

Allegations were made that Sehdev @ Bittu Rana along with 15-20 persons were instrumental in causing injuries on the person of the deceased.

Learned counsel for the petitioner submitted that 10 prosecutions witnesses have already been examined including the complainant and all have resiled and not supported the prosecution case. Co-accused Satbir was granted regular bail on 07.12.2017 in CRM-M No.41851 of 2017 by observing that the prosecution witnesses have already turned hostile and have not supported the prosecution case. Mother of the deceased i.e. the complainant has also been declared as hostile. Co-accused Sehdev @ Bittu Rana, Deepak Kumar, Ved Parkash @ Vikash have already been granted regular bail by this Court. The case of the petitioner cannot be segregated with that of other co-

accused who have already been granted regular bail.

In view of above, without meaning anything on the merits of the case, I deem it appropriate to enlarge the petitioner on regular bail subject to his furnishing adequate bail bonds and surety bonds to the satisfaction of the trial Court.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

March 20, 2018.

Prince

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No