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

CRM-M No.2988 of 2018
Date of Decision: 16.02.2018

Deepak Kumar

.....Petitioner

Vs

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

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

Mr. M.D. Sharma, A.A.G., Haryana.

RAJ MOHAN SINGH, J.(Oral)

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

2. Complainant Raj Rani alleged that on the day of Holi, her son Rohit had a scuffle with Sehdev @ Bittu Rana. Due to that scuffle, Sehdev @ Bittu Rana used to give threats of killing Rohit. 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, in the meanwhile,

some unknown persons opened the door of the car from driver side. Rohit was asked to come out. Ultimately, he was pulled out of car. Both sides of the car were surrounded by 15-20 persons duly armed with deadly weapons. Rohit and Lakshay Nagar tried to come out of vehicle but they were threatened. They could not inform the police despite due efforts on mobile. Rohit was brutally beaten. Thereafter, he was taken to hospital in a serious condition and he succumbed to his injuries.

3. Allegations were made that Sehdev @ Bittu Rana along with his brother-in-law and 15-20 persons were instrumental in causing injuries to the son of the complainant.

4. The complainant and eye witnesses have not supported the case of the prosecution and they have been declared to be hostile.

5. Co-accused namely Satbir and Sehdev @ Bittu Rana have already been granted regular bail by this Court in CRM-M No.41851 of 2017 and CRM-M No. 48802 of 2017 respectively. Bails have been granted to co-accused primarily on the ground that the eye-witnesses as well as mother of the deceased have turned hostile.

6. This statement of fact has not been disputed by learned State counsel on instructions from ASI Bhupinder Singh.

7. In view of above, the petition is allowed. Petitioner is ordered to be released on regular bail subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of trial Court.

8. Nothing observed hereinabove shall be construed to be an opinion on the merits of the case.

16.02.2018
jyoti

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned Yes/No

Whether reportable Yes/No