

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM M-34733 of 2017

Date of decision : 29.01.2018

Raj Dancer @ Ajay

....Petitioner

V/s

State of Haryana

....Respondent

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Suneel Ranga, Advocate for the petitioner.

Ms. Tanushree DAG Haryana.

RAJAN GUPTA J.

Petitioner seeks concession of regular bail in a case registered against him under sections 324, 326, 307 read with section 34 IPC at police station Panipat City, District Panipat. It has been urged before the court that there is nothing on record to connect the petitioner with the crime. He has been falsely implicated in the case. Moreover, co-accused Amit Kundu and Amit Sharma have been granted the concession of bail and petitioner is similarly placed. Thus, he is entitled to concession of bail. Learned State counsel has opposed the prayer. According to him, keeping in view serious nature of crime, petitioner is not entitled to concession of bail. He submits that petitioner cannot claim parity with aforesaid co-accused as no injury is attributed to them.

In the alleged occurrence which took place on 21.10.2016 complainant Sat Parkash Sharma and Pardeep were attacked by accused Amit, Amit Kundu, Raj Dancer @ Ajay (petitioner herein) while they were sitting in the fields of Harpreet Sardar at village Ajijuilapur. Accused

Deepak gave a blow with sharp edged weapon (*iron dah*) to Pardeep with an intention to kill him which hit him on his left hand. As a result, same was chopped off. When complainant tried to intervene, Raj Dancer @ Ajay (petitioner herein) gave a blow with glass bottle which hit him on his head. Due to injuries suffered by them, they were shifted to General hospital, Panipat. During the course of investigation, accused were arrested.

Keeping in view the horrendous nature of crime, the manner in which it has been committed and the punishment it would entail in case of conviction, I am of the considered view that petitioner is not entitled to concession of bail. Plea for parity with other accused is not tenable as petitioner has attributed specific role of hitting the complainant on the head with a glass bottle. He played an active role in the entire occurrence.

Dismissed.

January 29, 2018

Ajay

(RAJAN GUPTA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No