

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

211

CRM-M-41063-2018

Date of Decision: September 21, 2018

Chetan Kumar

.....Petitioner(s)

versus

State of Haryana

.....Respondent(s)

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Mr. Sanjeev Kumar, Advocate for the petitioner.

Mr. D.R. Singla, DAG, Haryana.

Sudhir Mittal, J. (Oral)

The petitioner seeks regular bail in FIR No.0513, dated 08.08.2018, registered at Police Station Sadar Dadri, District Charkhi Dadri, under sections 147/148/149/323/506/302/120-B IPC.

A perusal of the FIR shows that 4 persons are named therein and have been accused of beating the deceased person-Deepak. The eye-witness is one Tejpal son of Vidyavarat on whose statement, FIR was registered.

Learned counsel for the petitioner submits that from the Police investigation it is clear that the father of the deceased namely Jai Bhagwan had made a statement that only the deceased person or the eye-witness namely Tejpal son of Vidyavarat could give any evidence regarding the persons involved in the incident. However, the Police arrested the petitioner on the basis of statement made by the *Chacha* of the deceased person namely Anil. On account of the death of Deepak, there was an outcry in the village and on account of the public pressure, the petitioner has been wrongly named as an accused.

Learned State counsel submits that the investigation in this case is still in progress. The deceased person had received 14 injuries on his body and the petitioner has been named by the *Chacha* as well as father of the deceased. A *danda* has also recovered from him. Since the investigation is still going on it would not be safe to release the petitioner on bail

In the incident in dispute, one Deepak has lost his life. The petitioner has been named as an accused person although not on the statement of eye-witness. Recovery of a weapon has been statedly made from him.

In these circumstances, I do not deem it appropriate to grant regular bail to the petitioner at this stage.

The petition is accordingly dismissed.

September 21, 2018
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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned :	Yes
Whether Reportable :	No