

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

CRM-M-45647 of 2017 (O&M)

Date of decision: 09.02.2018

Ravi

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Arav Gupta, Advocate
for the petitioner(s).

Mr. Ramakant Sharma, AAG, Haryana
assisted by SI Surinder Kumar.

Mr. N.P. Bhardwaj, Advocate for the complainant.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in FIR No.69 dated 16.06.2016, registered under Sections 302, 304 read with Section 34 of IPC and Sections 25, 27 and 30 of Arms Act, at Police Station Mohana, District Sonapat.

It is contended that the petitioner who is a young boy of 22 years of age has been falsely roped in the present case. The entire version recorded by the complainant is based on hearsay evidence. After the investigation, it has come on record that the revolver went off accidentally when the same fell from the hands of deceased,

Parvesh and therefore, the final police report was presented under Section 304 of IPC. He further states that it has also come in the testimonies of the prosecution witnesses that there was no prior enmity between the petitioner and the deceased. Complainant, Devki and eye witness, Pardeep have already been examined. The conclusion of trial will take a long time. The petitioner is in custody since 16.06.2017.

On the other hand, the learned State counsel opposes the bail application.

I have heard learned counsel for the parties and perused the record.

There are specific allegations against the petitioner in the FIR. This is the third bail petition filed on behalf of the petitioner. The learned counsel for the petitioner has not been able to point out any fresh circumstance in favour of the petitioner. Considering the gravity of offence, no case for regular bail is made out.

Dismissed.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

09.02.2018
sumit.k

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No