

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

CRM-M-5967-2018 (O&M)

Date of decision:12.03.2018

Ravinder @ Ravi

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. Keshav Pratap Singh, Advocate for the petitioner.

Mr. Ashish Yadav, Additional Advocate General, Haryana.

...

TEJINDER SINGH DHINDSA, J. (ORAL).

Petitioner seeks benefit of regular bail pending trial in case FIR No.221 dated 16.03.2017, under Sections 302/34 IPC, registered at Police Station Camp Palwal, District Palwal.

Counsel for the parties have been heard at length.

Deceased in the present case is Bhagat Singh and who is stated to have died of stab injuries in an occurrence that took place on 15.03.2017.

Present petitioner is sought to be implicated on the strength of a supplementary statement made by one Satish alleged to be an eye witness to the occurrence.

Petitioner had earlier approached this Court seeking regular bail by filing CRM-M-43635-2017 and which was dismissed on 18.12.2017 by taking note that in the statement recorded of Satish (eye witness) under Section 161 Cr.P.C. injuries had been inflicted upon the deceased Bhagat Singh with a knife and attributed to the present petitioner.

Learned counsel representing the petitioner justifies the filing of the instant second petition by referring to the deposition of Satish

recorded before the trial Court after 18.12.2017 and in which he has not supported the prosecution version and has clearly deposed that he does not identify the present petitioner insofar as inflicting injuries upon the deceased.

It may also be noticed that the complainant in the case is Jagat Singh i.e. brother of the deceased and who had initially set up a version that upon reaching the spot, Bhagat Singh had himself mentioned to him that three persons i.e. Rajesh, Raj Kumar and Chhottu @ Devender had inflicted injuries. Name of the present petitioner did not figure in the initial version of the complainant, Jagat Singh.

Material witness i.e. Satish has already been examined before the trial Court.

Without making any observations on merits, petitioner is held entitled to the benefit of bail.

Petition is allowed.

Petitioner be enlarged on bail subject to satisfaction of trial Court/Duty Magistrate, concerned.

Disposed of.

12.03.2018

harjeet

(TEJINDER SINGH DHINDSA)

JUDGE

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|-----|----------------------------|--------|
| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |