

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

CRM M-9264 of 2018.

Date of Decision: 16.04.2018.

Sunil Kumar

... Petitioner

Versus

State of Haryana

... Respondent

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. K.S. Jetley, Advocate,
for the petitioner.

Mr. Ripu Daman, AAG Haryana
assisted by ASI Naresh Kumar.

JITENDRA CHAUHAN.J.(ORAL)

This is third bail application filed under Section 439 Cr.P.C seeking bail in case FIR No. 132 dated 27.09.2015 registered under Sections 148, 323, 506, 302 and 120-B read with Section 149 IPC and Section 25 of Arms Act at Police Station Saha.

Learned counsel for the petitioner refers to statement of eye witness of the incident, PW Khushi Ram to contend that he has not supported the case of the prosecution. It is further contended that the petitioner was not present on the spot and he has been falsely implicated in the present FIR.

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

Heard.

The fact remains that complainant, Sumit who too is an eye witness qua the petitioner is yet to be examined. The impact of statement allegedly made by PW Khushi Ram will be analyzed by the trial Court at appropriate stage. Considering the specific allegation that the petitioner who is the main accused, gave knife injury in the stomach of the deceased resulting into his death, the Court feels that no case for grant of bail is made out. Otherwise also, this is second bail application, no favourable circumstance has accrued in favour of the petitioner in the interregnum period.

Consequently, the petition is dismissed.

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

16.04.2018.
SN

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes/No
Whether reportable :	Yes/No