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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-2142-2019

Date of decision-08.02.2019

Randhir

....Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Surender Saini, Advocate for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana assisted by
ASI Kuldeep Singh.

Mr. B.R.Vohra, Advocate for the complainant.

MANOJ BAJAJ, J.

Randhir has filed this petition for grant of anticipatory bail in case FIR No.300 dated 15.06.2018, under Sections 148, 323, 325, 506, 302 and 120-B read with Section 149 of Indian Penal Code registered at Police Station Ganaur, District Sonipat.

On the statement of injured Ishwar Singh s/o Rupla, the FIR was registered with the allegations that he along with his brother owns a plot of 100 square yards at Village Lalhari Kalan, wherein the brothers have equal shares. On the back side of this plot Ramphal and Manjit s/o Chand Singh purchased the plot and they tried to encroach upon the plot of the complainant. The dispute arose between them. On 13.6.2018, Manjit along

with his companions had demolished the wall of the plot belonging to complainant. A complaint was also given on 14.6.2018. The police had reached the spot. It is alleged by the complainant that later on Balram caught hold of his brother from back side and Manjit caught hold his both hands. Ramniwas exhorted and attacked by giving a rod blow on the head of Rajender. The other assailants also threw bricks upon the complainant and other injured persons. It is further narrated that as a result of this occurrence, Rajender, complainant Ishwar Singh and Jagdish suffered injuries. Rajender succumbed to the injuries on the next day i.e. 15.6.2018.

Learned counsel for the petitioner contends that in all there were 19 persons named in the FIR and out of those 09 had been found innocent. One of his sons, namely, Balram is also found innocent by the Police. Learned counsel for the petitioner contends that the petitioner has been falsely implicated and the injury caused to the decased is attributed to Ramniwas.

On the other hand, learned State counsel on instructions from ASI Kuldeep Singh has opposed the bail application on the ground that the offence is under Section 302 IPC which is punishable with life imprisonment or death and therefore, the petitioner does not deserve the concession of anticipatory bail. It is further pointed out that the petitioner is not only named in the FIR but the other witnesses who got their statements recorded under Section 161 Cr.P.C have named him.

Considering the nature of the offence and the fact that the petitioner is named in FIR and other statements, no case is made out for

grant of extra ordinary concession of anticipatory bail to the petitioner.

Consequently, petition is dismissed.

08.02.2019

vanita

(MANOJ BAJAJ)
JUDGE

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