

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

208

CRM-M-7211-2019 (O & M)
Date of Decision:26.02.2019

Saurav

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Rajinder Goyal, Advocate
for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

MANOJ BAJAJ, J.

The present petition has been filed by the petitioner for grant of regular bail in case FIR No.387 dated 16.08.2018 under Sections 148/149/323/452/427/302/506 of the Indian Penal Code ('IPC' – for short), registered at Police Station Kundli, District Sonipat.

According to the prosecution case, the petitioner along with other co-accused inflicted injuries to the brother of the complainant, namely, Gaurav with lathi and danda, on account of which he lost his life. The wooden bitta and the motorcycle used in the commission of offence have also been recovered from the petitioner.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. He further submits that he was not named in the FIR and was implicated only on the basis of the

supplementary statement suffered by the complainant after due deliberations and consultations. The alleged recovery of danda has been planted upon the petitioner. It is further submitted that nothing has to be recovered from the petitioner. The petitioner is in custody since 20.08.2018.

On the other hand, the learned State counsel on instructions from SI Lehna Singh, Crime Branch, Sonipat has opposed the bail application on the ground that the petitioner along with his friends caused injuries to the brother of the complainant namely Gaurav, leading to his death.

A perusal of the FIR reveals that threat was issued to the complainant party and the attack was duly premeditated. Moreso, the motorcycle and danda used in the commission of crime have been recovered from the petitioner. Considering the above, coupled with the seriousness of the offence, no ground for grant of regular bail to the petitioner is made out.

Petition is dismissed.

26.02.2019

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(MANOJ BAJAJ)
JUDGE

Whether Speaking/Reasoned: Yes/No

Whether Reportable : Yes/No