

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-42631 of 2019

Date of Decision: 16.12.2019

Ravi Yadav

....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. C.R. Narwal, Advocate for the petitioner.

Mr. Saurabh Girdhar, AAG, Haryana.

HARINDER SINGH SIDHU, J.

Prayer is for grant of regular bail in case FIR No.192 dated 28.04.2019 under Sections 147,149,323,341,506 IPC (Sections 307/114/120-B IPC added later on) registered at P.S HTM Hisar, District Hisar.

The FIR was lodged on the complaint of Naveen, who alleged that on 26.04.2019 at about 7.30 am, when he along with his parents and younger brother-Sandeep was at his new house just far away from their house, his neighbor Bansi Lal started uttering filthy abuses at them. After we had gone away, his mother Guddi came there and assured that she would convince her son not to swear at them. The same day at about 5.30 pm, Guddi, mother of Bansi Lal came along with Ravi Yadav, Lalit @ Bona and two other boys. She asked them to beat Naveen-complainant, whereupon the boys who were having dandas in their hands beat the complainant. On alarm being raised, the mother of the complainant, his wife and his sister and brother-Sandeep tried to set him free. Thereafter, the boys beat the brother-Sandeep, wife- Priya and sister-Indu of the complainant and went away uttering threats. Sandeep, Priya and Indu were taken to the hospital for treatment.

Learned counsel for petitioner has argued that the petitioner has been falsely implicated in this case. He is in custody since 26.04.2019. There

is only one injury suffered by Sandeep-brother of the complainant and that there is no opinion of the Doctor, who treated Sandeep, that the alleged injury was dangerous to life.

Upon notice, learned State counsel filed status report by way of affidavit dated 16.10.2019 of the Deputy Superintendent of Police, Hisar stating that the injured-Sandeep, who suffered injuries on his head and was discharged from Jindal Hospital, Hisar on 13.05.2019. He is still unconscious . As per Medical Report dated 04.10.2019, the patient does not remember the incident of head injury. He suffers from amnesia of events Retrograde & Auterograte amnesia and visual disturbance. Patient required another operation for Cranioplasty. He was found to be unfit for statement and was referred to PGI for further management for memory impairment.

Considering the facts and circumstances of the present case and taking into account the nature of the injury inflicted on Sandeep from which he has still not recovered and is suffering from amnesia and memory impairment besides he is required to undergo cranioplasty, there is no ground to grant bail to the petitioner at this stage.

Dismissed.

December 16, 2019

(HARINDER SINGH SIDHU)
JUDGE

Manoj

Whether Speaking / Reasoned	Yes
Whether Reportable	Yes / No