

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

Criminal Misc. No.M-52166 of 2019(O&M)

Date of Decision: December 13, 2019

Parveen

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

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Present: - Mr.Sunil Kumar, Advocate
for the petitioner.

Mr.Saurav Girdhar, DAG, Haryana.

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HARINDER SINGH SIDHU, J.

The petitioner has filed this petition under Section 439 Cr.P.C for grant of bail in case FIR No.58 dated 03.02.2018 under Sections 148, 149, 302, 34 IPC and Section 25 of the Arms Act (Sections 148, 149 and 216 IPC deleted during investigation and Sections 34 and 120-B added), Police Station Shivaji Colony, District Rohtak.

The FIR was recorded on the statement of one Mukesh Kumar with the allegations that his son Rocky and Shahsi s/o Ram Kumar and Rahul son of Raju Bhagat had a fight over verbal abuses given to each other. The matter was amicably resolved. However, Shahsi nursed grudge against Rocky. On 02.02.2018 at about 5.00/5.30 P.M. Shahsi along with 3-4 other boys who were aged about 22 years, attacked Rocky with knife. Rocky was inflicted multiple injuries on his stomach, chest and neck. He succumbed to the injuries during treatment.

Learned counsel for the petitioner states that the petitioner was not named in the FIR by the complainant, who was an eye witness of the occurrence.

Opposing the petition, learned counsel for the State has submitted that though the petitioner was not named in the FIR, but subsequently the complainant Mukesh (father of the deceased) specifically named him in his statement. Ld. State counsel stated that in the FIR also, the complainant had mentioned that Shahsi along with 3-4 boys had caused injuries to his son with knife. It is further stated that all main witnesses including the complainant have been examined and the trial may not take long time to conclude. The complainant has duly identified the petitioner in court and testified that the petitioner was among the assailants.

Considering the fact and circumstances and that the complainant PW1 Mukesh Kumar has specifically named and identified the petitioner as being one of the persons who inflicted injuries to his son, no ground to grant bail is made out.

Petition is dismissed. However, nothing stated herein shall be construed as an expression of opinion on the merits of the matter.

December 13, 2019

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**(HARINDER SINGH SIDHU)
JUDGE**

Whether Speaking / Reasoned	Yes
Whether Reportable	Yes / No