

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

**CRM No.M-31083 of 2018 (O&M)
Date of Decision: February 28, 2019**

Hemant Solanki

...Petitioner

VERSUS

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.S.K.Garg Narwana, Sr. Advocate with
Mr.Yadwender Saini, Advocate
for the petitioner.

Mr.Tanuj Sharma, AAG, Haryana
for the respondent-State.

Mr.Shiv Kumar, Advocate
for the complainant.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.611 dated 15.06.2018 under Sections 148, 149, 302 and 323 IPC, registered at Police Station Ballabhgarh City, District Faridabad.

Notice of motion was issued. Learned State counsel as well as learned counsel for the complainant appeared and contested the petition.

I have heard learned counsel for the parties as well as learned State counsel and have gone through the record.

The perusal of the record shows that FIR has been registered on

the basis of statement of Azad Rana. The present petitioner is named in the FIR. There are allegations that petitioner along with co-accused came to complainant's house, holding lathis, dandas and knives in their hands. Co-accused Manish, who was holding knife, hit complainant's elder brother Jeetu in his chest, Rahul, who was holding iron rod, gave blow on complainant's head and when mother of the complainant tried to save them, then Rahul hit the iron rod on her foot and other boys also gave beatings to them with lathis, dandas, leg and fist blows. Jeetu died due to the injuries received by him.

Learned counsel for the petitioner mainly argued on one point that no injury is attributed to the present petitioner as per the FIR. He further contended that petitioner informed the police immediately after the occurrence. On the other hand, learned counsel for the complainant contended that complainant has specifically named the petitioner. Similarly, wife of deceased, who is eye witness to the occurrence, also named the petitioner that he participated in the commission of the offence.

Present petitioner's brother Rahul and one Umesh have already been challaned by the police. Learned counsel for the complainant contended that occurrence took place in the house of the deceased and present petitioner has come along with his brothers and other co-accused, with the common objective to cause the occurrence.

Keeping in view the facts and circumstances of the present case and in view of the nature and gravity of the offence, without discussing the facts in minute detail and without expressing any opinion on the merits of the case, I find that petitioner is required for custodial interrogation and no

ground is made out for grant of anticipatory bail to him.

Therefore, finding no merit in the present petition, the same is dismissed.

February 28, 2019
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No