

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

**CRM-M-12453-2020 (O&M)**  
**Date of decision: 18.05.2020**

|                  |        |                |
|------------------|--------|----------------|
| Narveer          |        | ....Petitioner |
|                  | Versus |                |
| State of Haryana |        | ...Respondent  |

**CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA**

Present: Mr.Rohan Garg, Advocate, for the petitioner.

Mr.Pradeep Chahar, D.A.G., Haryana.

**G.S. SANDHAWALIA, J. (Oral) :-**

Case has been taken up through Video-Conferencing by Webex Application, in view of the instructions issued and the prevailing situation.

Petitioner seeks regular bail in FIR No.363 dated 09.06.2016, registered under Sections 148, 149, 323, 341, 302 IPC, at police station Sadar Palwal, District Palwal.

Counsel for the petitioner has pointed out that as per the FIR, the role of the petitioner, who is brother-in-law of Sunil, the main accused, who had given the fatal injury to the deceased-Sriram on his head, is that they were chasing the deceased with sticks as per the case of the complainant-Rajbir.

It is brought to the notice of this Court that Bahadur @ Kunwar and Banti, who were arrested on 07.05.2017, were granted bail by the Co-ordinate Bench of this Court on 04.04.2018 (Annexures P-2 & P-3), after having undergone detention of almost one year. The allegations against the said persons were also similar in nature.

In the present case, the petitioner along with the main co-accused, were arrested much later and the alleged date of arrest of the petitioner is 06.04.2019 and more than a year has gone by and therefore, it can be safely held that the petitioner is similarly situated with the co-accused, as such. The Co-ordinate Bench has also noticed that the injuries were found on the vital parts of the deceased were ante mortem in nature and most vital injuries were on the skull/head of the victim which were the direct target of firing imputed to accused-Sunil. The other similar injuries were found to be on the non-vital body parts of the victim and certainly did not cause the death, as per the post-mortem and it was, in such circumstances, they had been granted bail.

It is also brought to the notice of this Court that FIR No.365 dated 10.05.2016 registered under Sections 148, 149, 307, 323 IPC and under Section 25 of the Arms Act, at Police Station Sadar Palwal, had been lodged against the complainant of the present case regarding the same incident dated 08.06.2016 and Rohit son of Bahadur and Bahadur had sustained fire injuries at the hands of the complainant party and were stated to have remain hospitalized for variable periods, as per the averments made in para No.8 of the petition.

It has also further been pointed out that the challan was presented on 21.08.2019 against the present petitioner and the de novo trial was initiated. Only one witness has been examined and now the case is fixed for 30.07.2020 and there are as many as 24 witnesses to be examined and considerable time would be taken in the trial.

In such circumstances, keeping in view the above facts, this Court is of the opinion that petitioner be released on bail to the satisfaction of the Ilaka Magistrate/Duty Magistrate, Palwal.

18.05.2020  
*Sailesh*

**(G.S. SANDHAWALIA)**  
**JUDGE**

|                                   |               |
|-----------------------------------|---------------|
| <i>Whether speaking/reasoned:</i> | <i>Yes/No</i> |
| <i>Whether Reportable:</i>        | <i>Yes/No</i> |