

Manjeet

.....Petitioner

versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Sanjeev Kumar, Advocate
for the petitioner

Mr. Munish Sharma, AAG Haryana

Sudhir Mittal, J. (Oral)

The petitioner seeks grant of regular bail in case FIR No. 300 dated 06.10.2019 registered under Sections 148, 149, 323, 324, 307, 302, 506 IPC and Sections 25, 54, 59 of Arms Act, 1959 at Police Station Sadar Gohana, District Sonapat.

Learned counsel for the petitioner submits that the petitioner has been in custody for almost one year. The charges have not yet been framed, thus, the trial is not likely to be concluded at an early date. The petitioner was allegedly armed with an ice pick commonly known as 'sua'. The injuries on the body of the deceased can not be said to be inflicted by an ice pick and, thus, the petitioner deserves to be granted regular bail.

Custody certificate dated 17.09.2020 has been presented in the Court. The same is taken on record. According to this custody certificate, the petitioner has undergone actual custody of 11 months and 6 days and there is one other case pending against him in which he is on bail.

Learned State counsel refers to the postmortem report and submits that very deep injuries were caused by the weapon used by the petitioner. The said injuries resulted in his death. They also caused fracture of ribs. It is, thus evident that a great amount of force was employed by the petitioner which reflects on his mental state. The argument that the injuries on the body of the deceased do not conform to the weapon allegedly used by the petitioner is controverted. It is submitted that forensic examination of the weapon as well as the dead body has made the relevant connection.

From the argument of learned counsel for the parties, it is clear to me that the petitioner is accused of a heinous offence. He allegedly used an ice pick to inflict injuries on the chest of the deceased person and the nature of the injuries show that the said weapon was used with a great amount of force. This shows the intent behind the action of the petitioner. It may be that the trial is not likely to be concluded at an early date and that the petitioner has undergone custody in excess of 11 months yet, keeping in view the seriousness of the offence he does not deserve the concession of regular bail.

The petition is, accordingly, dismissed.

September 17, 2020

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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No