

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

CRM-M-23231 of 2020

DATE OF DECISION :- October 29, 2020

Ravinder @ Neta

...Petitioner

Versus

The State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE H.S. MADAN

Present:- Mr. Baljeet Beniwal, Advocate for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

The case has been taken up through Video Conferencing.

This petition for regular bail has been filed by petitioner Ravinder @ Neta son of Late Shri Kishan, resident of Village Chandhat Palwal at present resident of House No. 101, Gali No. 7, Vishnu Colony, Ballabgarh, Tehsil Ballabgarh, District Faridabad, an accused in F.I.R. No. 386 dated 16.9.2019 for offence under Sections 302, 379B, 34, 201 IPC and Section 25 of the Arms Act registered with Police Station Adarsh Nagar, Ballabgarh, District Faridabad.

Briefly stated the facts of the case as per the prosecution story are that on 15.9.2019, at about 10 P.M., complainant Nagender Singh, aged about 32 years, residing as tenant in a house at Subhash Colony, Ballabgarh, Faridabad along with his brother Dayanand were returning home after purchasing vegetables from the market. They were accompanied by their brother-in-law Gaurav. When all three of them had reached Subhash

Colony, opposite Kisan Bhawan then a vehicle i.e. Car No. HR-38-AE-9833 came from behind and the occupants started snatching things from the complainant, his brother and brother-in-law. When they raised objection then the occupants of the Car started beating them with punches and kicks. One of them having a knife and he attacked Dayanand therewith causing injury on his neck whereas the other person also having knife hit Gaurav therewith on neck. The third person gave kick blows and punches to the complainant and snatched Rs.1000/- from his pocket. The driver of the Car had already kept the engine running. The third assailant sat in the Car and the Car sped away towards Subhash Colony. The injured were taken to General Hospital, Ballabgarh where Dayanand was declared dead by the doctor. The police was informed.

Formal F.I.R. in the matter was registered. The investigation in the case started. The identity of the assailants, who were armed with knives and had used those in the incident came to be known as Subhash and Ravinder @ Neta, whereas the assailant who had given kicks and fist blow came to be known as Tarun. The Car used in the incident and knife used for causing injuries were recovered from the possession of Subhash. Test identification parade was arranged where complainant Nagender Singh as well as injured Gaurav @ Deepak Rana had identified all the three assailants including petitioner Ravinder @ Neta. Petitioner Ravinder @ Neta was arrested in this case on 30.9.2019. On conclusion of the investigation the challan was filed against the accused and now they are facing trial. The petitioner accused had approached the Court of Sessions at Faridabad twice seeking regular bail, however, was unsuccessful, as such he has knocked the door of this Court craving for grant of similar relief, which

request is being opposed by the learned State counsel.

I have heard learned counsel for the petitioner and learned State counsel besides going through the record.

I find that no ground is made out for acceptance of the present petition. Here the allegation against the petitioner are very grave and serious to the effect that he along with his co-accused had assaulted Dayanand, Gaurav @ Deepak Rana and Nagender Singh. Dayanand was caused with knife injuries which prove to be fatal. The petitioner is said to have been armed with knife at that time which was used by him in the incident. The petitioner as well his co-accused had also alleged to have snatched Rs.1000/- from the complainant. The petitioner and his co-accused are facing trial. Material witnesses are yet to be examined. There is reasonable possibility of petitioner trying to influence the prosecution witnesses by giving threats or inducement to them and to abscond, if granted benefit of regular bail. A young innocent person had lost his life on account of being attacked by the petitioner and his co-accused. Since the petitioner and his co-accused had been identified by the complainant and Gaurav @ Deepak Rana during the identification parade, their identity stands established. Petitioner Ravinder @ Neta is attributed knife injuries to the deceased. Thus, there is no merit in the present petition, therefore, the same stands dismissed accordingly.

(H.S. MADAAN)
JUDGE

October 29, 2020

p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No