

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-24527-2020

Date of decision: 18.11.2020

Amarjeet @ Bablu

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. R. S. Mamli, Advocate
for the petitioner.

Mr. Sumit Jain, Additional A.G., Haryana.

(Through Video Conferencing)

ARVIND SINGH SANGWAN, J. (ORAL)

This is the second petition for grant of regular bail in case FIR No. 07 dated 05.01.2019 under Sections 323, 452, 34 of IPC, 1860 (section 302 of IPC added subsequently) registered at Police Station Sadar Ratia, District Fatehabad.

Earlier petition i.e. CRM-M-50440-2019 for regular bail was dismissed on 06.02.2020 by passing the following order:

“Counsel for the petitioner has argued that as per the allegations in the FIR, registered at the instance of Samarjeett Singh @ Samru on 04.01.2019 in the evening, his father Milkhi Ram was sitting in his house and in the meantime, the petitioner-Amarjeet @ Bablu entered the house and told that their goats used to come on their roof and thereafter, he gave a gandasi blow on the head of the father of the complainant. In the meantime, the brother of the petitioner namely Jeet and

his father Maghar Ram, also came there and they also gave slap and fist blows to his father. On hearing the noise, the complainant came inside the house and on seeing him, the assailants ran away from the spot along with the weapon. Thereafter, Milkhi Ram was admitted in the hospital where he died.

Counsel for the petitioner has further argued that the petitioner is in custody for the last about 01 year and only 01 witness i.e. the complainant namely Samarjeet Singh @ Samru has been examined as PW1 and his cross-examination is yet to be concluded. It is further submitted that there is some variation in the statement of the complainant and therefore, the case of the prosecution is doubtful.

Counsel for the State has however, filed the affidavit of the Investigating Officer along with the Custody Certificate and as per the affidavit, the version given in the FIR is reiterated and it is stated that the complainant has supported the prosecution version.

Without commenting anything on merits of the case, considering the serious allegations against the petitioner, who is the main accused in the FIR, no ground to grant regular bail to the petitioner is made out.

Dismissed.”

Learned counsel for the petitioner has re-argued the case on merits without there being any new ground.

Reply by way of affidavit of Deputy Superintendent of Police, Head Quarter, Fatehabad (Haryana) is on record and as per reply, during investigation, petitioner Amarjeet @ Bablu, alongwith brother Jeet, was found to be the main accused. The allegations against the petitioner are that he has caused a fatal injury to deceased Milkhi Ram with a *Gandasi* which was recovered from the petitioner.

After hearing both the parties and going through the record, I find that no new ground for grant of regular bail is made out.

Therefore, the petition is hereby dismissed.

(ARVIND SINGH SANGWAN)
JUDGE

18.11.2020

Mehak

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No