

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

**CRM-M-34575 of 2019 (O&M)
DATE OF DECISION : 30.07.2020**

Bantu

...Petitioner

Versus

State of Haryana

...Respondents

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Deepak Vashisth, Advocate,
for the petitioner.

Mr. Vikrant Pamboo, DAG, Haryana.

Mr. G.S.Gopera, Advocate,
for the complainant.

(Presence marked through video conference)

ARUN MONGA, J. (ORAL)

This is a petition under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.161 dated 01.06.2019, under Sections 306, 34 of IPC, registered at Police Station Sadar Jind, District Jind.

2. An FIR was registered on the statement of complainant Naveen that his deceased father was an agriculturist and in the evening of 30.05.2019 went to fields, where a quarrel took place between his father, Rohit and Bantu. They inflicted fist blows and slaps on his father. Rohit hit the head of his father with his bracelet. When complainant party went to the house of Bantu for asking the reason, then Bantu, Rohit, Neeraj and Kashmir scuffled with them too. On 01.06.2019, when father of the complainant returned home, he disclosed that he had consumed poisonous substance to end his life due to the harassment and beatings at the hands of Bantu, Rohit, Neeraj and Kashmir.

Deceased Ajit Singh (father) was taken to General Hospital, Jind, where during treatment, he died.

3. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. He further submits that deceased did not suffer any injuries. Post-mortem of the deceased was conducted wherein it was mentioned that there was no external fresh marks of injury all over the body.

4. He further submits that co-accused has already been granted interim bail by this Court vide order dated 15.07.2019. Petitioner is in custody since 14.06.2019.

5. Notice of motion.

6. Mr. Vikrant Pamboo, DAG, Haryana, who has joined the proceedings on service of advance copy of the petition, appears and accepts notice on behalf of State of Haryana.

7. Learned counsel for the complainant strongly opposes the grant of bail to the petitioner on the ground that a complaint dated 17.08.2019 (Annexure A-1) was made to the authorities to the effect that petitioner is threatening the family members of the deceased and all the witnesses even despite being behind the bars and no action has been taken till date on the said complaint.

8. Para 6 of the report filed by the IO/SHO reveals to the contrary, as it has been clearly stated therein that after doing the preliminary inquiry, it has been found that the allegations contained in A-1 are completely unsubstantiated.

9. Having heard learned counsel for the petitioner, as well as learned State counsel and counsel for the complainant, this Court is of the view that no useful purpose would be served by keeping the petitioner behind the bars, who

is a young student of 20 years old and undergoing education. Challan has already been filed and investigation is thus complete. The trial is not likely to commence or conclude any time soon on account of current pandemic conditions. The petitioner is stated to be in custody since 14.06.2019.

10. In the premise, the instant petition is allowed. Petitioner is ordered to be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of trial Court/Illaqa Magistrate/ Duty Magistrate.

JULY 30, 2020

vandana

**(ARUN MONGA)
JUDGE**

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No