

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

CRM-M No.50440 of 2019

Date of decision: 06.02.2020

Amarjeet @ Bablu

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Kartar Singh, Advocate
for the petitioner.

Mr. Naveen Sheoran, DAG, Haryana.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner in FIR No. 07 dated 05.01.2019 registered under Sections 323, 452, 34 IPC (Section 302 IPC added later) at Police Station Sadar Ratia, District Fatehabad.

Counsel for the petitioner has argued that as per the allegations in the FIR, registered at the instance of Samarjeet 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.

(ARVIND SINGH SANGWAN)
JUDGE

06.02.2020
yakub

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No