

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

**CRM-M 6119 of 2021**

**DECIDED ON: 16<sup>th</sup> FEBRUARY, 2021**

**Jasbir**

**.....PETITIONER**

**VERSUS**

**State of Haryana**

**.....RESPONDENT**

**CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.**

Present: Mr. D.R. Bansal, Advocate and Mr. Ranesh Bansal, Advocate  
for petitioner.

Mr. Deepak Bhardwaj, DAG Haryana.

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**AVNEESH JHINGAN, J (ORAL)**

The matter is taken up for hearing through video conference  
due to COVID-19 situation.

This petition is filed for grant of regular bail in FIR No. 521  
dated 5.11.2019, under Sections 148, 149, 302, 323, 452, 354, 506-A IPC  
registered at Police Station Safidon, District Jind.

The FIR was at the instance of Kapil. It was stated that on  
03.11.2019 about 8/8.30 PM, he along with his father was present at home  
when Jai Karan armed with *Gandasi*, Roshan having Sickie and Sanjay  
having danda entered their house. Jai Karan and Roshan gave *gandasi* and  
sickle blows on the head of his father. Sanjay dragged his father, outside  
the house. When the complainant tried to rescue his father Sanjay gave  
*danda* blow to him. During the treatment, father of the complainant died on  
10.11.2019.

Learned counsel for the petitioner submits that no specific  
injuries have been attributed to the petitioner either in the FIR or in the  
statements recorded under Section 161 Cr.P.C. of Major, Karambir Singh  
and eye-witness Sunita. He relies upon MLR and postmortem report to  
submit that there is one head injury and other five injuries are abrasion and  
contusion. The cause of the death is mentioned as craniocerebral injury and  
complications caused by blunt force impact to the head. It is further  
submitted that there are 24 prosecution witnesses and till date not even one  
has been examined. The petitioner is in custody since 16.11.2019.

Learned State counsel submits on instructions from ASI Vinod Kumar that the matter was re-investigated under the supervision of Inspector General and earlier investigation was found correct. During re-investigation it was concluded that Jasbir was not present at the spot and 11 accused were found innocent. He has no instructions that any specific injury was attributed to the petitioner. However, he submits that the petitioner was the person concerned who collected others and incident occurred.

Considering the custody period; the fact that the trial is likely to take time; there is no specific injury attributed to petitioner; out of 17 accused, 11 have been found innocent and the fact that co-accused have been granted bail by this Court vide order dated 21.1.2021, the petitioner is ordered to be released on bail subject to furnishing surety/bail bonds to the satisfaction of learned trial Court/Duty Magistrate concerned.

**16<sup>th</sup> FEBRUARY, 2021**

*reema*

**(AVNEESH JHINGAN)  
JUDGE**

|                                  |            |
|----------------------------------|------------|
| <i>Whether speaking/reasoned</i> | <i>Yes</i> |
| <i>Whether reportable</i>        | <i>Yes</i> |