

**CRM-M-18676-2021 and
CRM-M-19628-2021**

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

Date of Decision: 21.05.2021

1. CRM-M-18676-2021

Lalit Kumar

...Petitioner

Vs.

State of U.T. Chandigarh

....Respondent

AND

2. CRM-M-19628-2021

Vishal @ Mutia

...Petitioner

Vs.

State of U.T. Chandigarh

....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. A.S.Sidhu, Advocate,
for the petitioner in CRM-M-18676-2021.

Mr. A.S.Gujral, Advocate,
for the petitioner in CRM-M-19628-2021.

Mr. C.S.Bakshi, Addl. P.P. U.T. Chandigarh.

HARNARESH SINGH GILL, J. (Oral)

Both the cases are taken up together for hearing
through video conferencing.

This order shall dispose of the above noted two
petitions, whereby the petitioners have sought grant of regular bail
in case bearing FIR No.267 dated 21.08.2018, registered at Police
Station Sector 26, Chandigarh, under Sections 302 and 34 IPC.

**CRM-M-18676-2021 and
CRM-M-19628-2021**

Learned counsel for the petitioners contends that the petitioners have falsely been implicated in the above-noted FIR and that Parkash, alleged eye-witness to the occurrence, has not supported the prosecution version while appearing as PW 7 and has turned hostile. Except for PW 7 Parkash, there is no eye-witness to the occurrence. It is also contended that the petitioners have been in custody since August, 2018 and they are no longer required for the custodial interrogation and, therefore, their further incarceration is not justified.

Per contra, the learned Addl. P.P. U.T. Chandigarh, submits that HC Suresh Bakshi and Constable Upender were also present at the spot and had seen the occurrence. On seeing them, petitioner-Vishal @ Mutia had fled from the spot. However, his shirt was stained with blood, which was later on sent to the laboratory. The blood-stains on his shirt had matched with the blood group of Vicky (since deceased). However, petitioner-Lalit Kumar was apprehended at the spot. The aforesaid two witnesses are yet to be examined.

I have heard the learned counsel for the parties.

As per the prosecution version, Vishal @ Mutia attacked upon the head of Vicky (since deceased) with an iron pipe. In the meantime, Vicky also took out the knife from his dub, but petitioner-Lalit attacked upon the face of Vicky with a trident, as a result of which the knife of Vicky fell down, which was picked up by petitioner-Lalit, who had given knife blows on the chest of Vicky (since deceased). In order to save himself, Vicky tried to run away

**CRM-M-18676-2021 and
CRM-M-19628-2021**

from the spot, but petitioner-Vishal @ Mutia stopped and caught hold of him from the arms and petitioner-Lalit gave multiple knife blows on his body.

Keeping in view the nature and gravity of the offence, coupled with the role attributed to the petitioners, no case for the grant of regular bail to the petitioners is made out.

Dismissed.

21.05.2021
parveen kumar

(Harnaresh Singh Gill)
Judge

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