

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

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CRM-M-16923-2021

Date of Decision: 28.04.2021

PARDEEP

...Petitioner

VERSUS

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Parveen Sharma, Advocate,
for the petitioner.

Mr. Rajiv Goel, DAG, Haryana.

MANJARI NEHRU KAUL, J. (Oral)

This is the second petition filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the petitioner in case FIR No.263 dated 27.05.2019 lodged under Sections 148, 149, 307, 323, 324 and 452 of the Indian Penal Code, 1860 and Sections 25/54/59 of Arms Act added lateron, registered at Police Station Sonapat City, District Sonapat.

Learned counsel submits that the petitioner is in custody since 27.05.2019 inn the FIR in question which has been foisted upon him on the basis of totally false and fabricated allegations. He further submits that the false implication on the petitioner in the case in hand is evident from the fact that four material witnesses including the injured did not support the case of the prosection and were thus, declared hostile.

Per contra, learned State counsel on instructions from ASI Baljinder has apprised this Court that no doubt four material witnesses did not support the case of the prosecution and were declared hostile, however, while inviting the attention of this Court to the allegations levelled in the FIR, he has submitted that the petitioner was alleged to be armed with a knife at the time of occurrence.

Learned State counsel has further submitted that not only did the petitioner inflict a knife injury on the stomach of injured-Deepak but he also inflicted an injury with the knife on the leg of the father of the complainant which find corroborated with the medical evidence. He further submits that the FIR was lodged promptly wherein the names of the accused alongwith their respective roles were spelt out which left no manner of doubt that it was not a fabricated story and if the witnesses had turned hostile it was for reasons but obvious.

Heard.

In the wake of serious allegations levelled against the petitioner, this Court is not inclined to grant the concession of bail. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

Dismissed.

(MANJARI NEHRU KAUL)
JUDGE

28.04.2021

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Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No