

CRM-M-21748-2020

-1-

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-21748-2020

Date of decision : 02.09.2021

SUNIL

.....Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Anshuman Dalal, Advocate
for the petitioner.

Mr. Deepak Kumar Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN, J (ORAL)

Prayer in this petition is for grant of regular bail to the petitioner under Section 439 of this Code of Criminal Procedure (in short Cr.P.C') in FIR No. 261 dated 21.09.2019, for offences punishable under Section 323, 506, 302, 34 of the Indian Penal Code (in short 'IPC'), registered at Police Station IMT, Rohtak, District Rohtak.

Learned counsel for the petitioner submits that the present FIR was registered on the statement of one Vinod S/o Sant Ram on 20.09.2019 stating therein that when he was on duty his father Sant Ram called him and informed that fight has taken place with Sunil S/o Puran Singh i.e., the petitioner and he should come back home. When he reached home his

father was thrown on the street outside his house and the petitioner-Sunil, Vishal, Akash have sticks in their hand and all three of them have beaten the complainant and his father. Petitioner-Sunil gave a blow on his head with stick from behind and his father was also given injuries by three of them. Then they went to the PGIMS Rohtak for treatment where his father had died.

Learned counsel for the petitioner further submit that no specific role is attributed to the petitioner and the injury was caused by other co-accused Vishal and he is attributed only the role of fist & kick blows. It is further submitted that as per the MLR report of Sant Ram it was revealed that there is only one injury on the person and the cause of death in the present case is '*Cardio pulmonary arrest due to head injury*'.

Learned counsel for the petitioner further submit that petitioner has only attributed one injury to the complainant as per the statement given by the eye-witnesses.

Learned State counsel on the basis of the affidavit of H.P.S., Deputy Superintendent of Police, Sampla, District Rohtak on behalf of respondent/State has submitted that as per the complainant version, the petitioner-Sunil along with his son Vishal @ Golu and Akash came on the spot and petitioner gave a blow on the head of the complainant with his stick. However, during his investigation Akash was declared juvenile and Vishal @ Golu was also got arrested.

Learned State counsel further submit that Vishal @ Golu has been granted concession of bail being a juvenile but opposed the prayer for regular bail on the ground that there are serious allegations against the

petitioner.

I have heard learned counsel for the parties and have gone through the record and considering the serious allegation against the petitioner I find no ground to grant the concession of regular bail to the petitioner.

Dismissed.

(ARVIND SINGH SANGWAN)
JUDGE

02.09.2021

tarun sahani

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No