

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

CRM-M-7285-2022

Date of Decision:-09.05.2022

RAKESH

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Madan Sandhu, Advocate for
Mr. Ajay Shekhawat, Advocate
for the petitioner.

Mr. Naveen Kumar Sheoran, DAG, Haryana.

KARAMJIT SINGH, J. (Oral)

Prayer is for grant of regular bail in case having FIR No.166 dated 3.3.2021 registered under Sections 323, 34, 506 IPC (Sections 148, 149, 302, 201, 120-B IPC added later) at Police Station City Naruaul, District Mahendergarh.

Brief facts of the case are that FIR in this case was lodged by Deepak s/o Bhagwan Dass alleging that on 2.3.2021 he along with his cousin Ravi Kumar was present in a hospital at Narnaul as wife of Ravi Kumar was admitted there. At about 10:30 PM, he, Ravi Kumar and other members of family came out of the hospital and at that time two persons were quarreling with each other under the influence of liquor and they asked them not to fight on which both of them started abusing them. After sometime, he along with Ravi Kumar came out of the hospital to have dinner and in the meantime two persons having wooden sticks came out of the car and started beating them, on which the complainant and Ravi Kumar tried to

ran away but the culprits chased Ravi Kumar and caused multiple injuries to him. Injured Ravi Kumar was taken to hospital where he was declared dead.

The counsel for the petitioner contends that during trial complainant-Deepak Kumar and other material witnesses failed to support the case of the prosecution. The counsel further contended that no purpose is going to be served by keeping the petitioner in custody. So prayer is made for grant of regular bail to the petitioner who is in custody since 6th March, 2021.

The fact that complainant and other material witnesses have not supported the case of the prosecution during trial, has not been refuted by the State counsel. The copies of the aforesaid testimonies are produced today by the counsel for the petitioner in the Court, which clearly shows that the main witnesses have been declared as hostile during the trial. In these circumstances, no purpose is going to be served by the keeping the petitioner in custody for any longer period.

Keeping in view facts and circumstances mentioned above and without commenting on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail and surety bonds to the satisfaction of the CJM/Duty Magistrate concerned.

(KARAMJIT SINGH)
JUDGE

09.05.2022
Gaurav Sorot

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No