

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

**221**

**CRM-M-25063 of 2021 (O&M)**

**DECIDED ON:28<sup>th</sup> July, 2022**

**Nitin**

**.....PETITIONER**

**VERSUS**

**State of Haryana**

**.....RESPONDENT**

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

Present: Ms. Harmanpreet Kaur, Advocate for petitioner.

Ms. Geeta Sharma, DAG Haryana.

\*\*\*

**AVNEESH JHINGAN, J (ORAL)**

This is a petition seeking regular bail in case of FIR No.312 dated 27.7.2016 under Sections 302, 323, 452, 148, 149, 325, 506 and 120-B IPC, registered at Police Station Narnaund, District Hisar.

The FIR was registered on the statement of Wazir Singh. As per the allegations on 26.7.2016 petitioner along with other co-accused armed with Gandasa and Farsa in connivance with each other entered into the house of Baljit. Accused attacked Baljit and his family members, injuries were inflicted and Baljit succumbed to injuries. He was taken to Government hospital where he was declared brought dead.

Learned counsel for the petitioner submits that there is no specific injury attributed to the petitioner. Petitioner is in custody for last two years and there is no substantive progress in the trial. Petitioner is not involved in any other case.

Learned State counsel opposes the prayer and submits that the petitioner actively participated in the incident and inflicted injuries to the deceased. The family members of the deceased were also attacked. She

submits that provision of Sections 120-B, 148 and 149 IPC have been

invoked. She submits that there is every chance of petitioner absconding as he was declared proclaimed offender on 23.4.2018 and thereafter was arrested on 19.7.2020.

Without commenting on the merits of the case, considering the seriousness of allegations, the argument that no specific injury has been attributed to the petitioner does not enhance the case of the petitioner for grant of bail as Sections 120-B, 148, 149 IPC have been invoked. The conduct of the petitioner is evident from the fact that he has misused the concession of bail and was successful in delaying the trial for more than two years. There is no parity between the petitioner and co-accused who were granted bail.

Dismissed.

Since the main case has been dismissed, the pending application, if any is rendered infructuous.

**28<sup>th</sup> July, 2022**

*reema*

**(AVNEESH JHINGAN)  
JUDGE**

*Whether speaking/reasoned*      *Yes/No*

*Whether reportable*              *Yes/No*