

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-23061-2022

Date of Decision: 31.5.2022

Ravi Kumar

....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.
Ms. Harpreet Kaur, AAG, Haryana.

KARAMJIT SINGH, J.

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 petitioner was present in a hospital at Narnaul as wife of Ravi Kumar petitioner was admitted there. At about 10:30 PM, he, Ravi Kumar petitioner 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 petitioner 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 petitioner tried to ran away but the culprits chased Ravi Kumar petitioner and caused multiple injuries to him. Injured

Ravi Kumar petitioner 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.

Admittedly, co-accused Rakesh Kumar and Dharamveer Yadav alias Bablu have already been granted regular bail by this Court vide CRM-M-7285-2022 decided on 9.5.2022 and CRM-M-22602-2022 decided on 30.5.2022 respectively by this Court.

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

May 31, 2022

Paritosh Kumar

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No