

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

CRM-M-4291-2022 (O&M)

Date of decision: 31.05.2022

Sachin

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Naveen Thakur, Advocate for the petitioner.

Mr. Pawan Kumar Jhanda, AAG Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks regular bail in case bearing FIR No.362 dated 04.08.2020, registered under Sections 148, 149, 323, 302 and 506 IPC, at Police Station Gharaunda, District Karnal (however challan was presented under Sections 302, 323, 34, 506 and 201 IPC and Section 25 of the Arms Act, 1959).

Status report by way of affidavit dated 19.05.2022 of the Deputy Superintendent of Police, Karnal, District Karnal, already filed in the Registry, is taken on record.

Learned counsel for the petitioner contends that the above-noted FIR was got registered by one Sarwan Kumar, cousin of deceased-Shiv Kumar; that a *lathi* blow to the deceased has been attributed to the petitioner, but as per the opinion given by the Doctor in the post-mortem report, the cause of death was a stab wound in the stomach and such injury has not been attributed to the petitioner; that the petitioner has been in custody since

05.08.2020, and that there is no other case registered or pending against the petitioner.

On the other hand, learned State counsel while controverting the submissions made by the learned counsel for the petitioner, submits that the petitioner has specifically been named and as per the allegations, he has given *lathi* blow on the person of the deceased. He also points out that the prosecution witnesses, including the Doctor, are yet to be examined.

I have heard the learned counsel for the parties and have also gone through the paper book.

There are specific allegations against the petitioner that he has given *lathi* blow on the person of the deceased and the examination of the Doctor is must to ascertain the nature of injury on the person of the deceased. Therefore, I do not find any ground to grant him the concession of regular bail.

In view of the above, the present petition is dismissed.

(HARNARESH SINGH GILL)
JUDGE

31.05.2022
Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No