

**CRM-M-31895-2021**

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

**CRM-M-31895-2021**

**Date of decision:20.05.2022**

Krishan Pal and another

...Petitioners

Versus

State of Haryana

.....Respondent

**CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL**

Present:- Mr. Yash Dev Kaushik, Advocate,  
for the petitioners.

Mr. Surender Singh, AAG, Haryana.

**HARNARESH SINGH GILL, J. (ORAL)**

Through this petition, the petitioners seek regular bail in case bearing FIR No.571 dated 11.12.2020, registered at Police Station Sector 58, District Faridabad, under Sections 302, 323, 506 and 34 IPC.

Learned counsel for the petitioners contends that while recording his initial version to the police, the complainant stated that it was Sunil, who had given a *baton* blow on the head of his elder brother, Rajpal (since deceased) and the petitioners and Gopal had given fist and kick blows to the deceased, but while stepping into the witness-box as PW 2 on 15.12.2021, he changed his version to the effect that it was Krishan Pal (petitioner No.1), who had given a *baton* blow on the head of the deceased, and that petitioner No.2 alongwith co-accused had given beatings to the deceased with *lathis* and *dandas*, that the complainant, who is brother-in-law of Sunil, has changed his initial version while stepping into the

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witness-box, just to save Sunil. The petitioners have been in custody since 12.12.2020. On this premise, the learned counsel prays that the petitioners be released on bail.

On the other hand, learned State counsel, while opposing the grant of bail to the petitioners, submits that the complainant-injured, while stepping into the witness-box, have specifically attributed injuries to the petitioners.

I have heard the learned counsel for the parties.

The petitioners have been specifically named in the FIR. The specific roles have been attributed to them. There were as many as five injuries, including a head injury, on the person of the deceased. As per the post-mortem report, cause of death was shock and hemorrhage due to the injuries on his vital organ i.e. brain, which are ante-mortem in nature.

During the course of arguments, counsel for the petitioners sailed this Court through the statements of the complainant before the police as well as the trial Court. However, it is settled law that though at the time of consideration of bail amidst trial, in depth analysis of testimonies of witnesses is not to be done.

Keeping in view the nature and gravity of the offence, I do not find it a fit case where the petitioners are entitled to the concession of regular bail.

Therefore, finding no merit in the present petition, the same is dismissed.

The observations made hereinabove shall not be construed as an expression of opinion on the merits of the case and the trial Court shall

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decide the case without being influenced with these observations in any manner.

**20.05.2022**

parveen kumar

**(HARNARESH SINGH GILL)**  
**JUDGE**

Whether reasoned/speaking?  
Whether reportable?

Yes/No  
Yes/No