

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

**CRM-M No.51838 of 2022 (O&M)
Date of Decision: 12.10.2023**

Manish @ Gullu @ Billi

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Kuldeep Yadav, Advocate for
Mr. Sudhir Rana, Advocate for the petitioner.

Mr. Ashok S. Chaudhry, Addl. A.G., Haryana for the respondent.

Mr. Ajit Kumar Sharma, Advocate for
Mr. R.D.Yadav, Advocate for the complainant.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of bail pending trial to the petitioner in FIR No.186 dated 24.05.2022, under Sections 323, 324, 506 & 34 of the Indian Penal Code, 1860 (*for short 'IPC'*) [Section 307, IPC added later on], registered at Police Station Dharuhera, District Rewari.

(2) Above FIR was registered on the basis of statement made by complainant-Bhana Ram with the allegations that on 23.05.2022 at about 09:00 PM, his son-Rohit (injured) had gone at the fields with Tanuj and

Billi @ Manish (petitioner). While they were returning, then near Modern School in the street, petitioner as well as Tanuj gave many knife blows to him and on seeing some employee of the Company, they fled away from the spot after threatening to kill him.

(3) Contends that petitioner has been falsely implicated in the present case and moreover, at the time of occurrence, he was about 18 years of age. Also contends that petitioner belongs to a very poor family and he is in custody for the last more than one year.

(4) On the other hand, learned State Counsel, upon instructions, opposed the prayer while submitting that six stab wounds were given to the injured and while appearing as prosecution witness, he has fully supported the version. Even the Doctor, who examined the injured, has also deposed that injuries are dangerous to life.

(5) Heard both sides and perused the paper-book.

(6) This Court has gone through the testimonies of injured as well as Doctor and which clearly indicate that present petitioner was very much present at the time of occurrence. Also discernible that he participated in the commission of offence with the other assailant, resulting into six stab wounds to the injured. Even the Doctor was given a suggestion that she has prepared false reports; but the same was emphatically denied by her.

(7) In view of the above, this Court is of the opinion that petitioner was very much present with the other assailant and caused six stab wounds, stated to be dangerous to life. As a result thereof, there is no option except to dismiss the present petition.

(8) Ordered accordingly.

- (9) The above observations may not be construed as an expression of opinion on merits of the present case in any manner.
- (10) Pending application(s), if any, shall also stand disposed off.

October 12th, 2023
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No