



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

211

CRM-M-6868-2022 (O&M)
Date of decision: 04.11.2024

DEEPAK

...Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Baljeet Beniwal, Advocate
for the petitioner.

Mr. Amrik Singh Narwal, DAG, Haryana.

Mr. Devender Kumar, Advocate
for the complainant.

HARPREET KAUR JEEWAN , J.

1. The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case bearing FIR No.638 dated 08.12.2019 under Sections 148, 149, 323, 498-A IPC (Sections 307 and 302 IPC added lateron) registered at Police Station Hodal, District Palwal.
2. Status report dated 12.09.2024 by way of an affidavit of Kuldeep Singh, HPS, Deputy Superintendent of Police, Hodal, District Palwal along with the documents and custody certificate dated 04.11.2024 filed on behalf of the respondent-State, are taken on record.
3. As per the prosecution version, on 01.12.2019, Vishnu-husband of the complainant namely Poonam and relatives of Vishnu had beaten up the complainant on account of illegal demand of dowry. Thereafter, the complainant



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telephonically called her father-Bhagwan Sahai and her brother-Bhagat Singh. The husband of the complainant and his other relatives including the petitioner (brother-in-law of the complainant), attacked the complainant, her father and her brother with iron rods and sticks. As a result, father of the complainant died and 2 persons got injuries.

4. Learned counsel for the petitioner *inter alia* contends that the petitioner has been falsely implicated in this case and he is in custody for 04 years 10 months and 10 days. He submits that the petitioner is alleged to have inflicted injuries upon the complainant, whereas the allegations of inflicting injuries to the deceased are general in nature. Investigation is complete and final report under Section 173 (2) Cr.P.C. has been presented before the trial Court. The petitioner is ready to face trial. He further submits that the trial is going to take time to conclude, as such, prayer for releasing the petitioner on bail has been made.

5. On the other hand, learned State counsel has opposed the bail petition on the ground of gravity of allegations against the petitioner. He submits that the material witnesses are yet to be recorded.

6. I have heard the learned counsel for the parties and perused the relevant documents.

7. The petitioner is alleged to have hit the complainant on her head and all the accused including the petitioner are alleged to have beaten up the father and brother of the complainant. The father of the complainant succumbed to the injuries. The details of the injuries on the person of the deceased are reflected in the Medico Legal Report dated 01.12.2019 (Annexure R-3). Whereas brother of the complainant has also sustained various injuries, which has been recorded in the Medico Legal Report dated 01.12.2019 (Annexure R-2).



8. Despite the fact that the custody of the petitioner is 4 years 10 months and 10 days but he is not entitled to bail in view of the serious allegations against him. The petitioner is alleged to have inflicted injuries upon the complainant on her head and apart from this, the petitioner along with his co-accused is alleged to have inflicted injuries on the deceased as well with sticks.
9. Keeping in view the specific serious allegations against the petitioner, no ground is made out to grant concession of bail to the petitioner.
10. Consequently, the petition stands dismissed.
11. However, it is made clear that nothing expressed hereinabove would be construed to be an expression of opinion on merits of the case.
12. Pending miscellaneous application (s), if any, shall also stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

04.11.2024
P.Bhatt

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No