



286 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-9107-2024
Date of decision: 3rd July, 2024

Ravinder

...Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Ajay Saini, Advocate for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 439 of Cr.P.C.
seeking regular bail in the FIR mentioned below:-

FIR No.	Date	Police Station	Sections
680	22.07.2021	Sadar Karnal, District Karnal, Haryana	302 and 506 of IPC, 1860 (Sections 323 of IPC and Section 25 of Arms Act, 1959 added later on)

2. Brief facts of the case relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the basis of complaint filed by Satpal alleging therein that on 21.07.2021, his younger son Kuldeep had gone to attend some birthday party at the house of a co-villager. He came back home at 11:30 PM, the petitioner came in his street on his motorcycle and made a call to Kuldeep on hearing which his son



Kuldeep came out of his house. The petitioner started having an altercation with him. On hearing noises, the complainant along with his family members came out of his house and tried to pacify them but while saying as to why Kuldeep had hurled abuses to him, the petitioner at once took out a knife from his pant and while striking a blow with the same on the back of Kuldeep and after extending threats to kill them, he fled. Blood starting oozing out of the body of the victim. He was initially taken to hospital but was declared to be brought dead. On the basis of his statement, a case under Section 302 of IPC was registered. Investigation proceedings were initiated. Inquest proceedings and post mortem examination of the dead body of the victim was conducted. The petitioner was arrested on 23.07.2021. He was interrogated and suffered disclosure statement admitting his involvement in subject crime. Offence under Section 25 of Arms Act, was included later on. After completion of necessary investigation and usual formalities, challan was presented in the Court and presently, the petitioner is facing trial for commission of offences punishable under Sections 323, 302 and 506 of IPC read with Section 25 of Arms Act. He had moved applications for grant of regular bail before the learned trial Court which were dismissed.

3. The present petition has been filed by the petitioner on the grounds and it is argued by his counsel that he has been falsely implicated in this case. PW-4 Sunil Kumar who was an eye-witness has not identified him as the assailant. The trial is likely to take time. There was delay of 6-7 hours in lodging of the FIR. Private witnesses already stand examined. There are no chances of petitioner's intimidating the official witnesses who only



remained to be examined. He is in custody for a period of about three years. His further detention would not serve any useful purpose. Therefore, it is argued that he deserves to be extended benefit of bail.

4. Status report has been filed by the respondent-State. It is argued by learned State counsel that there are serious allegations against the petitioner. Mother of the victim has since been examined and she has fully supported the prosecution version. Only because of the fact that one of the eye-witness has not supported the prosecution version, the same cannot be to disbelieved. The complainant is yet to be examined. There are chances of petitioner's intimidating the witnesses, if extended benefit of bail. Therefore, it is argued that the petition does not deserve to be allowed.

5. I have heard learned counsel for the petitioner as well as learned State counsel at considerable length and have gone through the record carefully.

6. The petitioner is alleged to have a scuffle with the victim who was son of the complainant and is further alleged to have inflicted injury in his back with a knife which resulted in his death. The recovery of the said knife has been effected from the petitioner. As per the FSL report, the blood stains as found on the said knife so recovered at the instance of petitioner have matched with the blood group of the victim. The complainant is yet to be examined. The allegations against the petitioner are quite serious in nature. Keeping in view the gravity of allegations as levelled against the petitioner and the attendant facts and circumstance of the case, but without meaning to make any comment on the merits thereof, I am of the considered



opinion that the petition does not deserve to be allowed. Hence, the same is dismissed.

7. Since the main petition has been dismissed, pending application if any is rendered infructuous.

[MANISHA BATRA]
JUDGE

3rd July, 2024
Parveen Sharma

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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |