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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-10169-2024
Date of decision : 13.05.2024

SUMITPetitioner

Versus

STATE OF HARYANARespondent

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Hakam Singh, Advocate
for the petitioner.

Mr. A.K. Sehrawat, DAG, Haryana.

PANKAJ JAIN, J. (ORAL)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case F.I.R. No.235 dated 05.06.2020 registered for the offences punishable under Sections 148, 149, 302, 307, 323, 201, 120-B of the Indian Penal Code, 1860 and Section 25 of Arms Act, 1959 at Police Station Purani Sabzi Mandi, District Rohtak.

2. FIR was registered on the information supplied by Robin son of Jaipal Singh who alleged as under :

“xxx I am the resident of above mentioned address, I am doing the job in media department. My tau/uncle's son Ramandeep Shubham S/o Rajpal Saini, who lives in Tagore Gali, near Gohana bus stand. Vishal @ som S/o Mahender, also lives in the neighborhood of Ramandeep Shubham, who is addicted of alcohol and drugs and also a quarrelsome boy, who always abuses in the my tau/uncle's



house street in the state of intoxication of alcohol. I and my family members have complained about such act of abusing to the parents of Som, by visiting their house that you persuade your son that to abuse in the street is not a good thing, to which, his parents assured us that Som will not abuse. By keeping the grudges of that incident, on 04.06.2020, at around 10:30 PM, Som along with his brother Sumit and members of his family and other friends, went into the house of Rajpal and after abusing there so much, returned back. Thereafter, my taul/uncle's son Ramandeep Shubham S/o Rajpal Saini had gone to Gohana bus stand due to some work, where Som, his brother Sumit and other 4-5 boys attacked upon Ramandeep with knives, to which, my friend Bhagwan Das Guddu made a phone call to me and informed me that Som and his brother along with his family and other friends have attacked upon Ramandeep Shubham with knives. On receiving the information, I also reached on the spot then after reaching nearby Bhutiani Medicos shop, saw that my tau/uncle's son Ramandeep has sustained many injuries near the left ear by some sharp edged weapon/knife, when after reaching on the spot, I tried to intervene then Som Vishal stabbed me with knife on the left side of my chest with the intention to kill me, due to which, I fell down on the road. Som, his brother Sumit and 4-5 other boys fled away from the spot along with their weapons. After some time, my family members also reached on the spot, my family members brought me and my brother Ramandeep Shubham and admitted us in the Civil Hospital, Rohtak, for the treatment, where my brother Ramandeep @ Shubham was declared dead. Legal action be taken against all the above mentioned persons, I can recognize them if they come in front of me. I have recorded my statement heard the same and found it to be correct.xxx”

3. Counsel for the petitioner has relied upon order dated 12th of July, 2023 passed in CRM-M No.26237 of 2023 whereby co-accused Kamal has been admitted to bail and submits that the petitioner is entitled for parity.



4. I have heard counsel for the parties and have carefully gone through records of the case.
5. The FIR was registered by injured witness namely Robin son of Jaipal Singh who has specifically named the petitioner as one of the culprits and he himself has also received one stab injury by the main accused Som.
6. In view of the seriousness of the allegations and the fact that it is the injured witness who specifically named the present petitioner, this Court does not find it to be a case for grant of bail.
7. Accordingly, the petition is dismissed.
8. Needless to say nothing observed hereinabove shall be construed as an expression on the merits of the case.

May 13, 2024		(Pankaj Jain)
Dpr		Judge
Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No