

CRM-M-22531-2024

-1-

219

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-22531-2024

Date of Decision:- 03.12.2024

Ajay @ Ajay Pal

...Petitioner

Vs.

State of Haryana

...Respondent

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Ms. Shweta Bawa, Advocate
for the petitioner.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

AMARJOT BHATTI, J.

1. Petitioner – Ajay @ Ajay Pal has filed petition under Section 439 of Cr.P.C. for grant of regular bail in FIR No.731 dated 28.09.2022 (Annexure P-1), under Sections 302, 120-B, 34 of IPC, registered at Police Station Sector-58, Faridabad, District Faridabad (Haryana).

2. As per the facts of case, complainant Bijender gave his statement that as per routine on 21.09.2022 his son Manoj aged 24 years had gone for his duty to STUDD Company, Sector-59, Faridabad from Subhash Colony, Ballabgarh. At about 8:50 PM when Manoj reached at Gate No.1 of STUDD Company, three young boys with muffled faces attacked his son with iron rods with an intention to kill him. He was given severe beating as a result, he became unconscious. The occurrence was witnessed by his nephew Tej Yogender. His son was admitted in Government Hospital, Ballabgarh and thereafter, shifted to Sunsine Hospital, Sector-62, Shahpura Road, Faridabad and further admitted to other hospitals and ultimately, he succumbed to the injuries on 27.09.2022 in Safdarganj Hospital, Delhi.

**CRM-M-22531-2024****-2-**

The complainant stated that his son was got beaten up by the management employee namely Ragi Bhaskar, Plant Head, HR Manager Sandeep, HR Head Surender Sharma and Parmod Mishra and Guard Incharge Uddal Singh etc.

3. As per the status report, during investigation Ragi Bhaskar, Sandeep, Surender Sharma, Udar Singh and Parmod Mishra were found not to be involved in the occurrence. Co-accused Dhanender, Saurav and Ajay were found involved in the commission of offence. On completion of investigation, challan was presented against co-accused Dhanender and Saurav Juvenile whereas present petitioner was joined in the investigation on 05.02.2023 and supplementary challan was presented.

4. Learned counsel for petitioner argued that petitioner is behind the bars since 05.02.2023. Allegations levelled against him are false. Learned counsel for petitioner has placed on record statement of witnesses recorded during trial i.e. Bijender Singh PW-1, Tej Yogender PW-2, Rajesh Kumari PW-3 (Annexure P-2) and statement of Vinod PW-5, Vishnu PW-6. The aforesaid witnesses did not support the prosecution case. It is argued that present petitioner is ready to face the trial and will abide by the terms of bail order. Therefore, his regular bail petition may be allowed.

5. Learned counsel representing State opposed the bail petition. It is confirmed that during trial prosecution has already examined six witnesses and rest of the witnesses are yet to be examined. Regular bail application of present petitioner was declined by learned Additional Sessions Judge, Faridabad vide order dated 24.04.2024. There are serious allegations against the petitioner. Therefore, he is not entitled to be

CRM-M-22531-2024

-3-

released on bail.

6. I have considered the arguments and have gone through the record carefully. Petitioner is behind the bars for the last about 01 year 10 months. Learned counsel for petitioner has annexed the statements of material witnesses recorded during trial who did not support the prosecution case. However, the evidence led before the learned trial Court will be appreciated as a whole at the time of final adjudication of the case. In the light of aforesaid factual position, without going on the merits of the case, regular bail petition filed by petitioner – Ajay @ Ajay Pal is allowed. He is ordered to be released on bail on furnishing bail bonds and surety bonds to the satisfaction of trial Court/Duty Judge concerned.

03.12.2024
Sunil Devi

(AMARJOT BHATTI)
JUDGE

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