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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-1568-2024 (O&M)
Date of Decision:- 05.03.2025

AMIT ALIAS ANKIT ALIAS DADA

....Petitioner(s)

Versus

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Rakesh Kumar, Advocate for
Mr. V.B. Godara, Advocate for the petitioner.

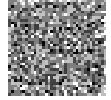
Mr. Surender Singh, A.A.G. Haryana.

SANJIV BERRY, J. (ORAL)

The instant petition has been preferred by the petitioner under Section 439 CrPC for grant of regular bail to the petitioner in the following case :-

FIR No.	Dated	Sections	Police Station
311	01.08.2019	147, 148, 149, 307, 323, 325, 302, 303, 109, 120-B, 180 IPC	Azad Nagar, Hisar, District Hisar

2. It is, *inter alia*, contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He contends that the petitioner has no concern whatsoever with the alleged occurrence. Even otherwise, no specific overt act is attributed to the petitioner nor is the petitioner named in the FIR. He submits that the



petitioner has suffered incarceration for a long time and the conclusion of trial is likely to take considerable time. Thus prays for grant of concession of bail to the petitioner.

3. *Per contra*, learned State counsel while referring to the status report filed by the State has assailed these arguments and prays for dismissal of the petition on the ground that the instant case involves fight amongst the jail inmates, wherein the petitioner along with co-accused had given merciless beatings on the person of Ravinder with the help of pointed *sua* in the occurrence. The said Ravinder had been killed while Talwinder and Harjeet sustained multiple injuries. He submits that there is specific attribution against the petitioner of having given *sua* blow on the person of Ravinder, resulting in his death hence, he is not entitled to the concession of bail. He has further submitted that the petitioner is having more than 10 cases of murder, extortion and attempt to murder etc. registered against him.

4. Heard learned counsel for the parties and perused the record.

5. After considering the rival contentions and perusing the record, it is observed that the instant occurrence had taken place on 01.08.2019 within the jail premises of Central Jail Hisar. As reported by the Additional Superintendent of Police that a fight took place on 01.08.2019 at 07:00 AM between the jail inmates, wherein on reaching the spot he saw that Ravinder, Talwinder and Harjeet were beaten by Jagdeep, Pawan, Ankit, Sonu, Akshay and 8-10 other undertrials. During the occurrence, Jagdeep and Pawan were having some pointed object like *sua* in their hands and they were causing the blows in the chest of Ravinder, resulting in his death and multiple injuries

being inflicted upon Talwinder and Harjeet. The inquiry under Section 176 CrPC was conducted by a Judicial Magistrate and subsequently during the course of investigation, the petitioner was arrested and from his possession the weapon i.e. *sua* used in the occurrence was recovered and after the completion of investigation, challan was presented in Court.

6. Considering the facts and circumstances of the case in the light of the respective arguments, it is observed that admittedly the petitioner was lodged in the jail at the relevant time and the complainant being the eye-witness had seen the petitioner inflicting injuries with sharp edged weapon i.e. *sua* on the deceased along with other co-accused besides giving multiple injuries to Talwinder and Harjeet. The injuries attributed to the petitioner on the person of the deceased happen to be fatal in nature. Therefore, in these circumstances, considering the serious nature and gravity of offence involved, the petitioner is not entitled to the concession of bail at this stage. Accordingly, the present petition is dismissed.

7. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

05.03.2025
S.Sharma(syr)

i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No