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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-63290-2024(O&M)

Date of Decision:-21.04.2025

Vishal

...Petitioner

Vs.

State of Haryana

...Respondent

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Ashit Malik, Advocate for petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

Mr. Aman Yadav, Advocate for complainant.

AMARJOT BHATTI, J.

1. The petitioner –Vishal has filed petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail in FIR No.983 dated 14.06.2023, under Sections 148, 149, 308, 323 of IPC, 1860 (Sections 120-B, 302, 354-D, 201 of IPC were added later on), registered at Police Station Civil Lines, Karnal, District Karnal.

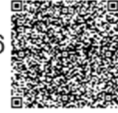
2. As per the facts of case, complainant Krishna Devi stated that her son Narender aged about 18 years was student of Ist Year in Dyal Singh College. On 13.06.2023 at about 10:00 AM, he along with his friends went to Karan Park for a walk. She called on the mobile phone of her son Narender which was picked up by his friend Rinku who informed that a fight took place with some boys in Karan Park, Karnal in which her son had received injuries. Narender was taken to KCGMC, Karnal and

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further referred to Kalpana Chawla Hospital but her son was admitted in Dua Hospital Karnal. When she reached the hospital her son was unconscious. On the basis of these allegations, FIR was registered under Section 148, 149, 323, 308 of IPC. During treatment her son succumbed to the injuries and thereafter offence under Sections 302, 354-D, 120-B, 201 of IPC were added later on.

3. Learned counsel for petitioner argued petitioner is not named in the FIR. During investigation statements of Rinku and Nishan Singh were recorded which are Annexure P-3 and P-4. Subsequently supplementary statement of Nishan Singh was recorded where the present petitioner was also named. It was Nishan Singh who used to harass a girl namely 'N' and her statement was recorded under Section 164 Cr.P.C. (Annexure P-5). Main allegation is against co-accused Ravi from whose possession a *danda* was also recovered. No recovery is effected from him. He is behind the bars since 20.07.2023. He is ready to abide by the terms of bail order. It is prayed that his regular bail petition may be allowed.

4. Bail petition is opposed by learned counsel representing State. Status report has been filed. It is pointed out that as per the facts present petitioner and Amandeep caught hold of Narender and Ravi had given *danda* blow which hit on the head of Narender. Disclosure statement of petitioner is Annexure R-1. Investigation was completed and the challan is presented on 17.10.2023. As per the status report, statement of complainant Krishna Devi has been recorded and other prosecution witnesses are yet to be examined. There are serious allegations against the petitioner who along with co-accused gave beating to the victim Narender

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which resulted into his death. Therefore, considering the gravity of offence petitioner is not entitled to be released on bail.

5. I have considered the arguments and have gone through the record. The facts of the case indicate that Narender son of the complainant had received injuries. Copy of his MLR is Annexure P-1. During treatment Narender succumbed to the injuries who was a young boy of 18 years of age. Copy of his postmortem report is Annexure P-2. Present petitioner is attributed specific role along with other co-accused. Allegations are specific and serious in nature. Till date only one prosecution witness has been examined and other material witnesses to the said occurrence are yet to be examined. Therefore, considering the manner in which offence has been committed, at this stage, I do not find a fit case for grant of regular bail and accordingly the bail petition filed by petitioner-Vishal is declined.

6. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

21.04.2025

*Sunil Devi***(AMARJOT BHATTI)
JUDGE**Whether speaking/reasoned:
Whether reportable:Yes/No
Yes/No