

Parveen vs. State of Haryana.

CIS No.BA-230-2023.

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**IN THE COURT OF AMIT GARG, ADDITIONAL SESSIONS
JUDGE, PANIPAT.**

Bail Application no.34 of 2023
CIS No.BA-230-2023.
CNR No.HRPP01-000862-2023.
Date of Institution:31.01.2023.
Date of Decision: 03.02.2023.

Parveen son of Dilbag, aged 23 years, resident of village Seenk
Madlauda, Panipat.

.....Applicant-accused.

Versus

State of Haryana.

.....Respondent

FIR No. 165 dated 29.04.2022.
Under Sections : 307, 506, 201, 34 IPC.
Police Station, Matlauda, Panipat.

4th application under Section 439 of CR.P.C.

Present: Shri Purshotam Sharma, Advocate for the applicant-accused.
Shri Naresh Kumar, Public Prosecutor for the State

ORDER:

This order shall dispose of the fourth application filed by the

Amit Garg
Additional Sessions Judge,
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applicant/accused under Section 439 of Cr.P.C. for grant of regular bail.

2. The facts of the bail application, in brief, are that on 29.04.2022, complainant Sammi Kumar son of Balwan Singh gave a complaint to police stating therein that some pigs belonging to Pale Ram entered into his house on 29.04.2022, at about 7:00 a.m. In this regard, father of the complainant along with his wife went to the house of Pale Ram for complaining the matter. Pale Ram abused them and started quarreling with them. Hearing the noise, the complainant went there. His brothers Sawan and Ravi and his cousin Sahil were also with him. The complainant alleged that Vicky, Jai Bhagwan sons of Pale Ram, Parveen and Ravi sons of Dilbag gave injuries to complainant, his brothers Sawan and Ravi with fist and leg blows. Parveen son of Dilbag gave an Axe blow in his head. When he tried to save, Axe hit his face. Thereafter, the accused criminally intimidated them. Injured were admitted in hospital. On the basis of complaint of complainant, FIR under Sections 324, 506, 34 IPC was registered. During investigation, offence under Section 307 IPC was added and Section 324 IPC was deleted. The applicant-accused

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was arrested on 30.04.2022. Hence, the present bail application by the applicant-accused.

3. Notice of the bail application was given to the State who filed reply stating therein that the first three bail applications of the accused-applicant have been dismissed. It is submitted that accused-applicant can try to win over the witnesses, if he is granted bail.

4. The arguments advanced by Shri Purshotam Sharma, the learned Advocate for the applicant-accused as well as Shri Naresh Kumar the learned Public Prosecutor for the State have been heard.

5. The applicant-accused is in custody since 30.04.2022. The previous bail applications of accused-applicant were dismissed by this Court vide orders dated 08.08.2022, 17.09.2022 and 05.12.2022 respectively on the ground that the injured and independent witnesses were not examined. As a matter of fact, the injured and independent witnesses have now been examined as PW1 to PW5 in the main case and they have not supported the prosecution case. The conclusion of trial will take sufficient time and no fruitful purpose will be served by

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detaining the accused-applicant in judicial custody especially when the injured and other independent witnesses have not supported the prosecution case. Therefore, without commenting on the merits of the case, bail application of applicant-accused is allowed and he is ordered to be released on furnishing personal bonds in the sum of Rs. 50,000/- with one surety in the like amount to the satisfaction of this Court. Papers be tagged with the main file.

**Pronounced in Open Court:
03.02.2023.**

**Amit Garg
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Certified that all the four pages of the order have been checked and signed by me.

**Amit Garg
Additional Sessions Judge,
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Typed By: Mamta Rani, Stenographer-I.

**Amit Garg
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