

**Ram Kumar Vs. State of Haryana**

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**Court :** Punjab and Haryana

**Decided On :** Apr-30-2013

**Appellant :** Ram Kumar

**Respondent :** State of Haryana

**Judgement :**

CrI.M.not M- 33389 of 2012 -1- IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH CrI.M.not M- 33389 of 2012 (O&M) Date of decision :

30. 4.2013 ..Ram Kumar .....Petitioner versus State of Haryana  
.....Respondents Coram: Hon'ble Mr.Justice K.C.Puri Present: Sh.

R.S.Rai, Senior Advocate with Ms.Tarunpreet Kaur, Advocate for the petitioner Sh.

P.M.Anand, Additional Advocate General, Haryana.

Sh.

Lokesh Sinhal, Advocate for the complainant..K.C.Puri, J.

CrI.M.No.23265 of 2013 The application stands allowed.

Documents Annexures P-2 to P-7 are taken on record subject to all just exceptions.

Main case.

Ram Kumar s/o Ratiram r/o village Nariyala, Tehsil Ballabgarh, District Faridabad, has applied for grant of regular bail in FIR No.89 dated 21.7.2012 under Sections 148, 149, 323, 324, 506 CrI.M.not M- 33389 of 2012 -2- IPC (Section 307 IPC added later on).registered at police Station Chhainsa, District Faridabad.

As per allegation of the prosecution, the law was set in motion by recording the statement of Jai Parkash who has stated that in his village there is a factory which makes electric poles.

Sarpanch of their village Ram Kumar s/o Ratti Ram who is already charge sheeted in a matter relating to the green trees of their village and they have given a written complaint against said Ram Kumar to the Deputy Commissioner for not distributing the pension of senior citizens after which the Deputy Commissioner had sent a Public Welfare Officer for investigation to village Nariyala.

During investigation all the village residents had gathered in the village temple and during the verification, Sarpanch Ram Kumar alongwith 8- 9 unknown persons came with common intention and pre-meditated mind and took out the swords and iron rods from their cars and attacked Sant Ram s/o Shiv Ram with an intention to kill.

Thereafter, Bhagwat Dyal s/o Ratti Ram raised a voice that kill Sant Ram today and Ram Kumar Sarpanch alongwith Kishan s/o Ratti Ram gave a blow on the head of Sant Ram with sword.

The complainant tried to save Sant Ram but Govind Ram @ Dandu s/o Natthi caught hold of the complainant and said that they should kill him also after which Dhatri s/o Ratti Ram gave a blow on the head of the complainant with the sword.

On seeing that their life was in danger, Om Parkash s/o Jagan Nath tried to save him and Sant Ram but Jaggi s/o Baligram caught hold of Om Parkash from the back and said that he should also CrI.M.not M- 33389 of 2012 -3- be killed today and then Bharat s/o Ganga Daan gave a blow on the head of Om Parkash with his sword and then Sunil s/o Shrichand intervened to save them, but then Bhagwat Dyal s/o Ratti Ram gave a rod blow on the hands of Sunil.

They raised a noise of 'Bachao Bachao' after which Daya Nand s/o Chhidha Ram and Amrit Nambardar came on the spot and rescued them.

Sant Ram received three injuries and injury on the head is stated to be dangerous to life.

Jai Parkash and Om Parkash also received simple injuries as per the prosecution.

A cross case under Sections 148, 149, 332, 333, 353, 186, 506, 325 IPC has been stated to be registered.

The complainant in the cross case received four injuries, one of which is stated to be grievous in nature.

The petitioner is stated to be in custody since 2.8.2012.

As per the opinion of the Board of doctors, injury on the head of Sant Ram is unlikely to be caused by a sharp weapon.

The complainant party is stated to have been declared proclaimed offender.

So, without commenting on the merits of the case, bail is granted to the petitioner Ram Kumar to the satisfaction of the trial Court.

( K.C.Puri ) 30.4.2013 Judge chugh

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