

257

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

**CRM-M No.17246 of 2015
Date of Decision: 28.05.2015**

VASIL

.....Petitioner

Vs

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Jagdeep S. Virk, Advocate
for the petitioner.

Mr. Pradeep Prakash Chahar, D.A.G., Haryana.

1. *Whether Reporters of local papers may be allowed to see the judgment?*
2. *To be referred to the Reporters or not?*
3. *Whether the judgment should be reported in the Digest?*

RAJ MOHAN SINGH, J.(Oral)

Petitioner prays for grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.144 dated 08.04.2015, under Sections 148, 149, 186, 188, 332, 353, 379, 307 IPC and Section 21(4) Mining Act, P.S. Gharaunda, District Karnal.

Learned counsel for the petitioner states that FIR was registered on the statement of ASI Jagdish Kumar, with the allegations that when he along with police party was on patrolling duty, they saw the tractor-trolley loaded with sand. The tractor-trolley was stopped which was found to be full of sand. The driver disclosed his name as Arif and a person was found sitting with him who

disclosed his name as Vasil (petitioner). The owner of the tractor was stated to be Islam @ Baadu. In the meanwhile one Alto car came to be stopped there in which four persons were sitting. They asked the complainant to leave the tractor-trolley. The driver told that he was Islam owner of tractor. Other persons sitting were namely Zulfan, Saddam and Rizwan. On asserting by the complainant that he will not leave the tractor-trolley, they started pushing the complainant and gave blows. During this scuffle Islam @ Baadu started the tractor and intentionally drove it towards the complainant, due to this complainant had to jump towards right side in order to save him. Resultantly complainant got hit by falling on the edge of the road, thereby receiving injuries on right arm, leg and other parts of the body. In the meantime Islam @ Baadu unloaded the sand from the trolley and ran away along with others in Alto car.

With the aforesaid allegations, the FIR came to be registered.

Learned counsel for the petitioner states that there is no overt act on behalf of petitioner except that he was found sitting along with driver.

Learned State counsel on instructions from ASI Jitender Singh states that allegations against the petitioner is that he along with others jointly pushed the complainant.

Learned counsel for the petitioner submits that the

petitioner is in custody since 08.04.2015. Challan has not been filed so far.

In view of the above, petitioner is ordered to be released on bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of Chief Judicial Magistrate, Karnal.

Accordingly, this petition is allowed.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

May 28, 2015.

Atik

(RAJ MOHAN SINGH)
JUDGE