

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

CRM No.M-28365 of 2015

Date of decision: 12.10.2015

Rajpal and another

...Petitioners

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Ms. Loveleen Dhaliwal, Advocate for the petitioners.

Mr. Yashwinder Singh, DAG, Haryana
assisted by ASI Suresh Pal.

Mr. Manoj Chahal, Advocate
for respondent No.2.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioners have sought pre-arrest bail in criminal complaint No. 991-1 dated 12.12.2013/24.12.2013, registered under Sections 307, 323, 325, 341, 342, 506, 148, 149, 166 and 166-A IPC pending in the Court of learned JMIC, Hansi, District Hisar.

It is contended that the petitioners have been falsely implicated in the instant case. The present complaint is a counter blast to the complaint filed by petitioner No.1 against the

complainant party, in which they have been summoned to face the trial under Sections 323, 452 and 34 IPC. Moreover, the injury alleged to be dangerous to life is not attributed to the petitioners.

On the other hand, the learned State counsel as well as learned counsel for respondent No.2 oppose the bail application. The learned State counsel submits that in fact the Investigating Officer did not obtain any opinion with regard to the injuries. Otherwise, in the complaint filed by the complainant, all the petitioners were specifically named by him.

Heard.

The complainant has specifically named the petitioners in his complaint filed before the competent Court. The complainant had suffered head injury and remained in the hospital for about 09 days. No opinion regarding the nature of injury was sought on account of shoddy investigation by the Investigating Officer. Keeping in view gravity of the offence, no case for grant of bail is made out.

Dismissed.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

12.10.2015

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(JITENDRA CHAUHAN)
JUDGE