

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM No.M-37558 of 2015

Date of Decision: November 16, 2015

Suresh and another

...Petitioners

VERSUS

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Vivek Suri, Advocate
for the petitioners.

INDERJIT SINGH, J.

Petitioners have filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.380 dated 21.09.2014 under Sections 323, 506 and 34 IPC (Sections 307 and 325 IPC added later on), registered at Police Station Sampla, District Rohtak.

Notice of motion.

On the asking of the Court, Mr.Himmat Singh, Asstt. Advocate General, Haryana, who is present in the Court, accepts notice on behalf of respondent-State and contests the petition.

Mr.Sanjiv Sheoran, Advocate filed Power of Attorney on behalf of the complainants and also contested the petition.

Police record is also available.

I have heard learned counsel for the parties as well as learned State counsel and have gone through the record.

From the record, firstly I find that it is case of version and cross-version. An FIR was also got registered by the petitioners under Section 323, 452 and 506 IPC against the complainant party. On the basis of the evidence, it is yet to be determined by the trial Court as to who is aggressor party. The perusal of the FIR shows that the complainant party had gone to the house of accused Suresh. As per the FIR, Suresh and Devender @ Bablu are stated to be armed with *lathi* and *danda* and they were not armed with any deadly weapons.

The petitioners are in custody since 19.09.2015. They are not required for any investigation or interrogation purposes. The challan has already been presented. The trial of the case will take long time. No useful purpose will be served by keeping the petitioners in custody till the final disposal of the case.

Keeping in view the facts and circumstances of the present case, without discussing the facts in minute detail and without expressing any opinion on the merits of the case, the present petition is allowed and the petitioners are ordered to be released on bail subject to their furnishing personal bonds in the sum of ₹50,000/- with one surety each in the like amount to the satisfaction of the trial Court/Duty Magistrate.

November 16, 2015
Vgulati

(INDERJIT SINGH)
JUDGE