

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

CRM No.M-42367 of 2015

Date of decision: 18.12.2015

Ratti & another

...Petitioners

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Keshav Partap Singh, Advocate,
for the petitioners.

Mr. Hitesh Pandit, Addl. A.G, Haryana

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 439 of the Code of Criminal Procedure, the petitioners have sought regular bail in case FIR No.483 dated 29.08.2015, registered under Sections 148,149,323,324,285, 506, 307 IPC and Section 27,54,59 of Arms Act at Police Station Hodal, District Palwal.

Allegations in brief are that on 26.08.2015 in the night time complainant namely, Bhupinder Singh was attacked by Sukhpal, Naresh and other 30 to 35 persons. In the occurrence Sukhpal and Naresh fired gun shots whereas Tejvir gave a sword blow to the complainant.

Learned counsel for the petitioners contends that no specific injury has been attributed to the petitioners. The petitioners

are old aged persons and have nothing to do with the present case. The petitioner No. 1 is aged 82 years and the petitioner No. 2 is 65 years old. The present FIR is a result of counter blast to the FIR No. 482 dated 29.8.2015, under Sections 452 etc IPC, registered at the instance of the petitioner No. 1 against the complainant. It is further contended that the petitioners are in custody since 04.11.2015.

On the other hand, the learned State counsel opposes the prayer of bail.

I have heard learned counsel for the parties and perused the file.

Keeping in view the fact that the gun shot injuries have been attributed to Sukhpal and Naresh (non-applicants) and that there is no specific injury attributed to the petitioners. The petitioner No. 1 and 2 are aged 82 years and 65 years respectively. The FIR was registered on 29.8.2015. The trial is yet to commence and its conclusion will take a long time, so without adverting to the merits of the instant case, this petition is allowed. The petitioners be admitted to bail during the pendency of the trial, on their furnishing bail bonds and surety bonds, to the satisfaction of the trial Court.

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

18.12.2015

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(JITENDRA CHAUHAN)
JUDGE