

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

**CRM No.M-13129 of 2016 (O&M)
Date of Decision: 13.05.2016**

Ankit ... Petitioner

Versus

State of Haryana ... Respondent

CRM No.M-13063 of 2016 (O&M)

Sumit ... Petitioner

Versus

State of Haryana ... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. K.S.Dadwal, Advocate,
for the petitioner in CRM No.M-13129 of 2016.

Mr. Ivneet Singh Pabla, Advocate,
for the petitioner in CRM No.M-13063 of 2016.

Mr. Anmol Malik, AAG, Haryana.

TEJINDER SINGH DHINDSA, J.(ORAL)

This order shall dispose of CRM Nos.M-13129 of 2016 titled as Ankit Vs. State of Haryana and CRM No.M-13063 of 2016 titled as Sumit Vs. State of Haryana as both these petitions arise out of the same FIR i.e. FIR No.327 dated 12.11.2015, under Sections 148, 149, 323, 506, 307 of Indian Penal Code and Sections 25, 54, 59 of Arms Act, registered at Police Station Line Paar, Bahadurgarh, District Jhajjar and Prayer is for grant of regular bail to the petitioner (s) herein during pendency of trial.

Counsel for the parties have been heard.

FIR came to be registered at the instance of Dushyant in

relation to an alleged occurrence dated 12.11.2015. Accusations are against as many as 19 accused wherein Dushyant is stated to have been assaulted at a toll plaza.

Ankit i.e. petitioner in CRM No.M-13129 of 2016 was specifically named as per initial version of the complainant. Even though he was stated to be carrying a firearm yet nobody has suffered a firearm injury in the occurrence.

Insofar as Sumit i.e. petitioner in CRM No.M-13063 of 2016 he would not even named in the FIR and he thereafter is sought to be implicated on the basis of a statement suffered recorded of Yogesh/injured under Section 161 Cr.P.C. on the date of occurrence itself.

Counsel for the petitioner(s) have vehemently contended that there was a CCTV footage of the occurrence and the presence of petitioner(s) herein i.e. Ankit and Sumit's has not been recorded. Such assertion of counsel appearing for the petitioner(s) has gone unrebutted.

Co-accused Monu Joon has been granted concession of anticipatory bail by this Court in CRM No.M-2383 of 2016. Such concession was granted on the basis that an inquiry had been conducted by the Deputy Superintendent of Police, Bahadurgarh and upon seeing the footage of CCTV camera he was found to have played no role whatsoever.

Ankit i.e. petitioner in CRM No.M-13129 of 2016 has been in custody since 12.11.2015. Sumit i.e. petitioner in CRM No.M-13063 of 2016 was arrested on 05.02.2016.

Investigation in the case is complete and even challan stands presented.

Without making any observations on merits, both the petitioners in these two connected petitions are held entitled to the benefit of bail.

Petitions are allowed. Petitioners be enlarged on bail subject to satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Jhajjar.

Disposed of.

13.05.2016

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**