

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

(220)

CRM-M-34163-2016

Decided on: October 19, 2016.

Subhash Chand and another

.... Petitioners

Versus

State of Haryana

..... Respondent

(2)

CRM-M-35198-2016

Decided on: October 19, 2016.

Satish

.... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. Vivek Goyal, Advocate,
for the petitioners in CRM-M-34163-2016.

Mr. S.S. Dinarpur, Advocate, with
Mr. Subhash Godara, Advocate,
for the petitioner in CRM-M-35198-2016.

Mr. Gurdas Singh Salwara, DAG, Haryana.

Ms. Aashma Gill, Advocate, for
Mr. Aman Pal, Advocate, for the complainant.

M.M.S. BEDI, J (ORAL)

This order will dispose of two applications for grant of regular bail, one (CRM-M-34163-2016) filed by Subhash Chand and another and the other (CRM-M-35198-2016) filed by Satish.

The FIR in the present case was registered at the instance of Rajinder alleging that on 05.08.2016 the petitioners constituted an unlawful assembly along with other accused armed with iron rods and 'bindas'. They inflicted injuries on the person of brother of complainant namely Davinder.

Learned counsel for the petitioners submits that injuries attributed to the petitioners would, at the most constitute offence under Section 325 IPC which is bailable.

Learned counsel for the complainant as well as learned State counsel have opposed the applications for regular bail inter alia on the ground that out of total 13 injuries received by Davinder, 6 injuries are fractures but no specific injury appears to have been attributed to any of the individual accused.

Learned counsel for the complainant has raised an apprehension that petitioner Satish being NRI is likely to abscond and that on account of threats on behalf of the petitioners, they may not be granted the concession of bail.

I have considered all the facts and circumstances of the case.

Challan has already been presented. The dispute appears to have arisen during course of Panchayat elections and the trial is likely to take a long time.

In said circumstances, the petitioners can be granted the concession of bail.

Both the petitions are allowed. Petitioners are ordered to be released on bail on their furnishing bail bonds/surety bonds to the

satisfaction of the trial Court subject to the conditions that the petitioners will not leave India without the permission of the Court and would surrender their passport before their release and they will also not tamper with the evidence and will not directly or indirectly induce or threaten the witnesses.

In case of violation of any of the conditions, it will be open to the complainant or the prosecution agency to seek cancellation of bail.

(M.M.S. BEDI)
JUDGE

October 19, 2016
harsha

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No