

209

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

CRM-M-37379 of 2016

Date of decision: October 27, 2016

Navdeep Singh Cheema and another

.....Petitioners

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE A.B. CHAUDHARI

Present: Mr. Saurabh Sharma, Advocate for the petitioners.

A.B. CHAUDHARI, J (Oral)

Notice of motion.

At the asking of the Court, Ms. Tanushree Gupta, DAG
Haryana accepts notice on behalf of the State.

Heard learned counsel for the rival parties.

In FIR No.540 dated 26.06.2016, under Sections 148, 323,
324, 326, 341/149, 506 IPC, registered at Police Station City Thanesar,
District Kurukshetra, the petitioners were arrested on 03.08.2016 and are in
jail since then.

Learned State counsel submits that 9 persons had assaulted the
victim and there are 12 injuries caused to the victim. In so far as the
petitioner No.1 is concerned, she submits that he has given *gandsi* blow on
the left arm and in so far as petitioner No.2 is concerned, she submits that
he has not been named in the FIR. His name is coming in the disclosure
statement.

I have seen the other injuries to the victim. The injuries are on
various parts of body, but in so far as the petitioner No.1 is concerned, he
has given *gandsi* blow on the left arm and in so far as petitioner No.2 is

concerned, he has not been named in the FIR and his name is coming in the disclosure statement. Admittedly, the challan has been filed.

As stated above, all 9 persons including the petitioners assaulted the victim and there is likelihood of the victim being threatened, the evidence of the victim and others being tampered by the petitioners, and other 8 persons who have not applied for bail.

The learned counsel for the petitioners makes a statement, on instructions from their client, that the petitioners would not enter Kurukshetra town till the trial is over and shall not apply for bail for modification of condition for grant of the present order of bail. Statement is accepted.

In view of the above, I make the following order:

ORDER

- (i) Bail to the petitioners is allowed.
- (ii) The petitioners be released on bail to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned.
- (iii) The petitioners shall not enter Kurukshetra town till the trial is completed, except the date(s) of appearance before the trial Court.

Learned State Counsel to point out this condition in case the other accused persons apply for bail to the Court.

Disposed of accordingly.

(A.B. CHAUDHARI)
JUDGE

October 27, 2016
mahavir

Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No