

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

**CRL. MISC. No.M-37614 OF 2016 (O&M)
DATE OF DECISION : 26th OCTOBER, 2016**

Rajkumar @ Moni & others

.... Petitioners

Versus

State of Haryana

.... Respondent

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

* * * *

Present : Mr. Aditya Sanghi, Advocate for the petitioners.

Mr. Chetan Sharma, AAG, Haryana.

Mr. P. R. Yada, Advocate for the complainant.

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A. B. CHAUDHARI, J. (ORAL)

The petitioners have filed the present petition under Section 439 Cr.P.C. seeking regular bail in FIR No.284 dated 30.08.2016 registered under Sections 148, 149, 323, 324, 325, 326, 452, 506 & 212 IPC at Police Station Kanina, District Mahendergarh.

Notice of motion.

Mr. P.R. Yadav, Advocate for the complainant, as well as learned State counsel, who is present in court, accepts notice.

Heard learned counsel for the rival parties and perused the FIR carefully.

Learned State counsel as well as counsel for the complainant vehemently opposed the application for grant of bail to the petitioners. They contended that the petitioners also have other FIR in respect of the similar offences regarding assault. Learned counsel for the complainant

submits that the complainant is still on bed because of the injuries suffered by him.

Looking to the nature of injuries, which are on all non-vital parts, though by dangerous weapons, I think the petitioners would be entitled to grant of regular bail. However, learned counsel for the complainant submits that the interest of the complainant as well as of the prosecution witnesses will have to be protected. This Court agrees with counsel for the complainant.

The counsel for the petitioners in response makes statement on instructions, that the petitioners would not enter the village Sihor and would report the concerned Police Station. He further undertakes that the petitioners would not apply for modification of the condition not to enter the village Sihor at any point of time till the trial is completed.

In that view of the matter, I am inclined to grant bail to the petitioners. Hence, I make the following order:

ORDER

- (i) The petition CRL. MISC. No.M-37614 OF 2016 is allowed.
- (ii) The petitioners be released on bail to the satisfaction of the CJM/Duty Magistrate, Mahendergarh.
- (iii) The petitioners shall not enter the limits of the Village Sihor.
- (iv) The petitioners shall not apply for modification of the above condition to stay out of village Sihor till the trial is over as per the statement made.
- (v) The petitioners shall not tamper or influence the prosecution witnesses.

- (vi) The petitioners shall report to the concerned Police Station on every last Sunday of the month from 10.00 am to 5.00pm.
- (vii) In case of violation of the above conditions the liberty is reserved to apply for cancellation of bail.

26th OCTOBER, 2016
'raj'

(A. B. CHAUDHARI)
JUDGE

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