

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

**CRM-M No.3776 of 2016 (O&M)
Date of Decision: 10.02.2016**

Naveen Bhardwaj

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. N.S.Shekhawat, Advocate for the petitioner.

Mr. Neeraj Poswal, Assistant Advocate General, Haryana
for the respondent/State assisted by ASI Satish Kumar.

JASWANT SINGH, J. (Oral)

Prayer is for grant of regular bail under Section 439 Cr.P.C. on behalf of the petitioner/accused-Naveen Bhardwaj in case FIR No.937 dated 01.12.2015, under Sections 148, 341, 323, 506, 365, 511, 307, 120-B, 149 of the Indian Penal Code and Sections 25, 54, 59 of the Arms Act, registered with Police Station Camp Palwal, District Palwal (**Annexure P-1**).

The injured/complainant-Munish Bhardwaj is a practising Advocate at Palwal. On 01.12.2015 at around 2 O'clock, while going on his motorcycle, he is alleged to have been intercepted by four occupants of a Car and inflicted injuries with *Dandas* and *Phawras*. He is stated to have suffered 08 injuries including 05 fractures.

It is contended that the present petitioner is a practising Advocate in the same District Court, Palwal. The complainant, who is stated to have remained as Secretary of the District Bar Association and thus knows most of the Advocates, practising there. It is next contended that the petitioner is not named in the FIR in spite of knowing fully well the identity of the present petitioner/accused. Even the allegation of one of the occupants

having fired towards him has been found to be incorrect by the Investigating Agency.

It is next submitted that the petitioner is the nephew of Ex-President of the I.N.L.D. Party, namely, Tuhiram Bhardwaj and the complainant as a Member of R.S.S. and, therefore, due to political rivalry, a false case has been foisted upon the petitioner. That apart, petitioner is stated to be in custody since 17.12.2015 and on completion of the investigation, challan is stated to be presented.

Learned State Counsel, assisted by ASI Satish Kumar, is unable to refute the aforesaid factual position. He further submits that there are 16 cited witnesses and the case is yet to be fixed for framing of charge.

Without commenting on the merits of the case, keeping in view the custody period and the facts as noticed above, this Court finds that petitioner/accused deserves the concession of regular bail and as such he is ordered to be released on bail to the satisfaction of CJM/Duty Magistrate, Palwal.

Disposed of.

February 10, 2016
Gagan

(JASWANT SINGH)
JUDGE