

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

(111)

CRM-M-467-2016

Decided on: March 18, 2016.

Shiv Rana @ Shivi

.... Petitioner

Versus

State of Haryana

..... Respondent

(2)

CRM-M-850-2016

Decided on: March 18, 2016.

Ashu

.... Petitioner

Versus

State of Haryana

..... Respondent

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

Present: Mr. Karan Singh, Advocate,
for the petitioner in CRM-M-467-2016.

Mr. V.K. Gupta, Advocate,
for the petitioner in CRM-M-850-2016.

Mr. C.S. Bakshi, Addl. A.G., Haryana.

Mr. Sunil K. Nehra, 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-467-2016) filed by Shiv Rana @ Shivi and the another (CRM-M-850-2016) filed by Ashu.

The FIR was registered at the instance of Vijay Pal @ Kaka alleging that the petitioner along with Kaka, Durga and Rahul had waylaid Vijay and Gullu when they had gone to take Jitender, their brother, from Bus Stand Jagadhari. Petitioner Shiv Rana @ Shivi along with Mohit was also present on motorcycle. The complainant was dragged and given knife blow on the left side of the chest by Shiv Rana @ Shivi son of Raj Singh Rana. So far as petitioner Ashu is concerned, he has not been attributed any injury on the person of complainant, Gullu or Jitender who were present on the spot near Bus Stand Jagadhari.

With the assistance of learned counsel for the petitioners and learned State counsel, I have gone through the police file.

The injury attributed to petitioner Shiv Rana @ Shivi has been declared as a grievous injury which is stated to be dangerous to life as opined by the doctors of the PGI.

Learned counsels for the petitioners have brought to my notice that Raj Singh Rana, father of petitioner Shiv Rana @ Shivi, has registered FIR No.226 dated 28.11.2013 at Police Station Yamuna Nagar, under Section 148, 149, 302 IPC against Bunty, Kashmira, Vishal, Balbir, Sunny, Ravi, Shukram Pal, Ram Lal, Lamon @ Sonu, Kaka and few others alleging that his son Mohit had been abducted and was later on beaten and killed. The first incident mentioned hereinabove which allegedly occurred at Jagadhari seems to be the motive for the incident which is reported to have occurred in Yamuna Nagar as mentioned hereinabove.

Irrespective of the criminal case registered at the instance of Raj Singh Rana regarding the murder of his son Mohit, I have considered the facts and circumstances qua petitioners Ashu and Shiv Rana @ Shivi. Petitioner Shiv Rana @ Shivi along with Kaka, Durga, Rahul and Mohit had alleged assaulted Vijay. Petitioner Ashu had not been attributed any specific injury on the person of Vijay, Gullu or Jitender whereas injury attributed to petitioner Shiv Rana @ Shivi with a knife on the chest of Vijay would not warrant the grant of bail to petitioner Shiv Rana @ Shivi.

It appears that complainant Vijay Pal @ Kaka has not been cross-examined till date.

Petition qua petitioner Shiv Rana @ Shivi is dismissed at this stage with liberty to the petitioner to approach this Court after examination of material witnesses.

However, petitioner Ashu can be granted concession of bail.

Petition qua petitioner Ashu is allowed. He will be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the trial Court.

(M.M.S. BEDI)
JUDGE

March 18, 2016
harsha