

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

CRM-M-5939-2016

Date of Decision : 06.09.2016

Maksood and another

.....Petitioner

versus

State of Haryana

....Respondent

CORAM : HON'BLE MR. JUSTICE M.M.S. BEDI**Present:** Mr. Sandeep Kotla, Advocate
for the petitioners.

Mr. Ramesh Kumar, AAG, Haryana.

Mr. Salim Ahmed, Advocate
for the complainant.**M.M.S. BEDI, JUDGE (ORAL)**

This is second application for grant of bail in a case registered at the instance of Rujdar alleging that on 07.08.2015 complainant had seen the petitioners along with 8-9 other co-accused armed with rifle, lathis and sticks attacking the brother and nephew of the complainant who were lying injured. The co-accused of the petitioner Kala and Ashu also allegedly fired at them and caused fire arm injuries on their person.

With the assistance of learned counsel for the petitioners, State counsel and learned counsel for the complainant, I have gone through the record. The complainant Rujdar has already been examined. The petitioners have been attributed injuries with country made pistol on the head and hand of Hasin. The injuries as per the medical evidence are not grievous injuries.

Since counsel for the complainant has submitted that there is 1 cm depressed fracture on the head, I have seen the said medical report which indicates that it is a minor head injury.

Taking into consideration the said fact and the period of detention suffered by the petitioners i.e. with effect from 11.08.2015, the petitioners can be granted the concession of bail.

The petition is 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 condition that petitioners will not indulge in the similar activity, of which they are accused of in the present case, during the entire period of trial and will not, directly or indirectly, tamper with the evidence and threaten the witnesses in any manner. In case of any such eventuality, it will be open to the complainant or the prosecution to seek cancellation of bail.

(M.M.S. BEDI)
JUDGE

06.09.2016
Neha

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