

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

CRM -M-6792-2016

Date of Decision:-28.4.2016

Javed

...Petitioner

Versus

State of Haryana

...Respondent

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

Present:- Mr.Vikram Singh, Advocate for the petitioner.

Mr.Vikas Malik, D.A.G. Haryana.

Mr.S.K.Bawa, Advocate for the complainant.

M.M.S.BEDI, J. (Oral)

Javed petitioner along with 5/6 other co-accused had allegedly assaulted the complainant with iron rod and lathis etc., besides causing injuries to his father, brother and other persons, who had arrived to rescue the complainant.

During the course of arguments, it transpires that the petitioner was a member of an unlawful assembly. He has been attributed grievous injury on the left arm of Khurshid Alam. There is a matrimonial dispute between the sister of complainant and brother of the petitioner. Though individually, the petitioner has prima facie committed the offence punishable u/s 325 IPC, but as a member of an unlawful assembly, he is also liable for the grievous injury attributed to his co-accused. Injury No.1 is declared dangerous to life, though attributed to co-accused Nayyar.

No extraordinary exceptional circumstances exist to grant the concession of pre-arrest bail to the petitioner. Dismissed without prejudice to the rights of petitioner to seek concession of regular bail.

(M.M.S.BEDI)
JUDGE

28.4.2016
AS