

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

**CRM-M No.10860 of 2017
Date of Decision: 05.04.2017**

AnkitPetitioner

Versus

State of Haryana ... Respondent

CORAM:-HON'BLE MR. JUSTICE RAJ MOHAN SINGH

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

Mr. P.P. Chahar, DAG, Haryana.

RAJ MOHAN SINGH, J.(ORAL)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.246 dated 30.09.2016 registered under Sections 302/323/326/452/506/148/149 IPC at Police Station Sahlawas, District Jhajjar.

As per prosecution case, the occurrence took place on 28.09.2016, when a jeep came in front of the house of the complainant which was being driven by Om Parkash Makdana, uncle of Sarita and 3-4 more persons were sitting in the jeep. On seeing the jeep, the complainant bolted the door of the house from inside and husband of the complainant Rajbala informed the Sarpanch Bhupinder on telephone. Sarita and her mother Suman duly armed with Kulahris scaled over to the house from the adjoining house belonging to Sultan Singh. After coming inside the house of the complainant, Sarita gave a kulahri blow

on the head of Suresh Janghu. Petitioner who was present in the house opened the door from inside thereby facilitating the other accused to enter the house. Son of the complainant i.e. Monu came forward to save his father. Sarita and her mother attacked on the head of Monu with kularhis. In the meantime, other companions of the accused party also came to the house. The role attributed to the petitioner is that he opened the door from inside the house and thereafter, as per statement of Sanjit under Section 161 Cr.P.C, he inflicted a kularhi blow on the head of Rajbala which was found to be a lacerated wound.

Learned State Counsel on instructions from ASI Sanjay Kumar and as per MLR of Rajbala admits the injuries of Rajbala to be lacerated wound. However, there is no opinion of the doctor describing the injury to be grievous or dangerous to life in any manner. Petitioner has not given any injury to the deceased. The presence of the petitioner in the house of the complainant would be arguable as there is no such allegation that he also scaled over the wall of the house of Sultan Singh along with Sarita and Suman. Petitioner is in custody since 04.10.2016.

At this juncture, without adverting to the merits of the case, it will be just and expedient to grant benefit of regular bail to the petitioner.

Let the petitioner be enlarged on regular bail, subject to

his furnishing adequate bail bonds/surety bonds to the satisfaction of Chief Judicial Magistrate, SBS Nagar.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

05.04.2017	(RAJ MOHAN SINGH)
prince	JUDGE
Whether Reasoned/Speaking	Yes/No
Whether Reportable	Yes/No