

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

CRM-M No.16451 of 2017

Date of decision: 5th September, 2017

Sahun

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Rajesh Lamba, Advocate for the petitioner.

Mr. Munish Sharma, Asstt. Advocate General, Haryana
for the respondent/State.

FATEH DEEP SINGH, J. (ORAL)

Allegations against the petitioner Sahun in this petition filed under Section 439 Cr.P.C. seeking regular bail in case FIR No.926 dated 07.12.2016 registered at Police Station Sector 55, District Faridabad under Sections 147/148/149/186/332/333/353/307/506/120-B IPC, are that on 06.12.2016 police from the Police Station Sector 55, Faridabad is alleged to have gone to village Dhauj to apprehend certain persons where a quarrel took place between the residents and the police leading to registration of present case.

Contentions of the learned counsel for the petitioner Mr.Rajesh Lamba are that similarly placed co-accused Sajid has already been allowed this relief by this Court vide orders dated 11.08.2017 and

that none of the injuries is within the ambit of Section 307 IPC and nothing is to be recovered from the petitioner.

Though the factual scenario could not be displaced by learned State counsel who has sought to oppose grant of bail on the grounds that petitioner side has sought to take law in their hands.

Appreciating the submissions, in view of the principle of parity and that learned State counsel could not convince this Court how offence under Section 307 IPC is made out in the present case as it is purely a non-injury case and that nothing is to be recovered from the petitioner and there are no specific allegations against the petitioner, impels this Court to allow the prayer made. Accordingly, the petitioner is ordered to be released on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Faridabad.

The petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

September 5, 2017

rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No