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

**CRM-M No.17740 of 2017
Date of Decision: 26.05.2017**

Sombir

.....Petitioner

Vs

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Vishal Nehra, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.130 dated 10.05.2014 registered under Sections 148/149/307/120-B/450 IPC and Sections 25/54/59 of the Arms Act at Police Station Rai, District Sonapat.

As per allegations in the FIR, on 09.05.2014 at about 9:30 PM, complainant was watching television at his house. His father Rajbir and mother Kamla were taking rest in the courtyard. His brother Manish and sister-in-law were in the room on first floor. The complainant heard a noise from the first floor that some persons had jumped on the roof of the house. The

complainant went upstairs and saw that 15/20 persons duly armed with dandas, swords, kulhari and pistols were trying to open the door of the room of first floor. Out of them, Manjeet Singh son of Satbir, Manjeet son of Dalel, Ankur Chauhan, Nanda son of Krishan, Kala son of Kartara were identified and they started beating the complainant. Manjeet son of Dalel caused injuries on the hands of the complainant and threw him from the first floor. Other persons were standing in the courtyard and they were also equipped with weapons. They also caused injuries to the complainant as well as to the parents, brother and cousin brothers namely Sanjay and Satpal. Accused Raj Singh, Satbir, Suraj, Satbir and his wife Sunita also gave beatings to the parents of the complainant. Ankur, Surja and Manjeet son of Satbir opened fire from their pistols on the mother of the complainant, brothers Manish and Satpal.

Learned counsel for the petitioner contended that the FIR does not show overt-act done by the petitioner. His name was disclosed by the co-accused. Petitioner was granted bail on 11.09.2014. Thereafter, petitioner absented from the Court on 24.02.2016 and was ultimately declared as proclaimed offender on 01.06.2016. Petitioner is in custody since 09.12.2016. Co-accused Satbir and Manjeet have already granted bail by this Court on 27.08.2014 and 17.10.2014 respectively.

Learned State counsel on instructions from ASI Ramesh Kumar states that prosecution evidence is in progress.

In view of above, I am of the view that regular bail of the petitioner can be considered, particularly when he was granted bail on 11.09.2014 and now he is in custody since 09.12.2016.

In view of above, without commenting anything on the merits of the case, petitioner is directed to be released on regular bail, subject to his furnishing adequate bail bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate.

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

Disposed of.

May 26, 2017.

Prince

**(RAJ MOHAN SINGH)
JUDGE**