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

**CRM-M No.17550 of 2017
Date of Decision: 26.05.2017**

Rajbir

.....Petitioner

Vs

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

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

Ms. Gagandeep 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.246 dated 30.09.2016 registered under Sections 302, 323, 326, 452, 506, 148, 149 IPC at Police Station Sahlawar, District Jhajjar.

Allegations are that on 28.09.2016, a jeep came to be halted being driven by Om Parkash Makdani uncle of Sarita and 3-4 persons were also sitting in the jeep. On seeing the jeep, the complainant bolted the door of the house from inside and her husband informed the Sarpanch on telephone. Sarita and her mother Suman duly armed with Kulahris scaled over to

the house from the adjoining house of one Sultan Singh. After coming inside the house of the complainant, Sarita gave a kulahri blow on the head of Suresh Janghu. Ankit opened the door from inside thereby facilitating others to enter the house. When son of the complainant i.e. Monu came forward to save his father, Sarita and her mother attacked on his head with their kularhis. Other companions of the accused party also came inside the house. As per FIR, Sarita also inflicted second blow with kulahri on the head of husband of the complainant.

As per MLR of Suresh Janghu, two injuries were found on his head. Allegations in the FIR are that 2 injuries were inflicted by Sarita. No overt-act was shown qua the petitioner in the FIR. After 40 days of registration of FIR, statement of Monu son of the complainant was recorded, in which it was alleged that the petitioner had also inflicted spade blow on the head of Suresh Janghu.

Learned counsel for the petitioner submits that no spade has been recovered from the petitioner, rather a lathi has been recovered. Co-accused Ankit has been granted regular bail by this Court on 05.04.2017 in CRM-M No.10860 of 2017.

At this juncture, without commenting anything on the merits of the case, it would be just and expedient to grant concession of regular bail to the petitioner.

Let the petitioner be enlarged on regular bail subject to his furnishing adequate bail bonds and surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Jhajjar.

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**