

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

CRM-M-45104-2016 (O&M)
Date of Decision: 21.02.2017

BIJENDER

-PETITIONER

VS

STATE OF HARYANA

-RESPONDENT

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SISNGH

Present: Mr. Navneet Singh, Advocate
for the petitioner.

Mr. Pradeep Prakash Chahar, D.A.G., Haryana.

RAJ MOHAN SINGH, J. (ORAL)

Petitioner seeks grant of regular bail in case bearing
FIR No.456 dated 23.11.2016 under Sections
323/341/427/506/379-A/34/120-B IPC registered at Police
Station Kundli, District Sonipat.

The FIR was registered at the instance of one Ashok
Kumar with the allegations that when he was driving a school
bus, six persons came in a car. They started moving around the
bus and also started breaking the windows of the bus by sticks
and rods. Thereafter, they started beating the complainant.
They tried to hit the complainant on his head but the
complainant timely saved himself by raising his both hands. He
received injuries on his hands and legs below the ankle. On

raising alarm, many people gathered there. The allegation was made that one boy Ravi son of Rajender was a student of 11th class and on account of his misbehavior with the girls, the complainant snubbed him by way of moving a complaint to the DP of school. At the instance of Ravi, the aforesaid six persons came to the spot and snatched away mobiles from the complainant. On the disclosure statement of aforesaid Ravi, petitioner and others were apprehended.

Petitioner was arrested on 27.11.2016. Recoveries of mobiles have been effected from co-accused Arun. The car is alleged to have been recovered from the petitioner which belongs to his brother-in-law. Recovery of car belonging to brother-in-law of the petitioner would be a debatable issue in the context of booty of the offence. Ravi has already been granted regular bail being a juvenile in conflict with law.

Learned State counsel on instructions from ASI Virender Singh stated that the petitioner is not involved in any other case.

Looking to the aforesaid facts particularly when challan has already been presented and charges have also been framed, no prosecution witness has been examined so far.

At this stage, the case of the petitioner for grant of regular bail can be considered without embarking upon merits of

the case.

In view of above, the petitioner is ordered to be released on bail on his furnishing adequate bail bonds/surety bonds subject to the satisfaction of the trial Court.

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

21.02.2017

jyoti Y.

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned Yes/No

Whether reportable Yes/No