

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

CRM No.M-8890 of 2017 (O&M)

Date of Decision: April 25, 2017

Harbhjan Singh alias Bhajan Singh alias Bhajji

...Petitioner

VERSUS

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Ashit Malik, Advocate
for the petitioner.

Mr.B.S.Virk, Deputy Advocate General, Haryana
for the respondent-State.

Mr.R.S.Budhwar, Advocate
for the complainant.

INDERJIT SINGH, J.

Petitioner has filed this second petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.85 dated 25.10.2014 under Sections 148, 302, 323, 324 read with Section 149 IPC, registered at Police Station Babain, District Kurukshetra.

Notice of motion was issued. Learned State counsel as well as learned counsel for the complainant appeared and contested the petition.

I have heard learned counsel for the parties as well as learned State counsel and have gone through the record.

From the record, I find that FIR in the present case has been registered on the basis of statement of Avtar Singh. As per prosecution

version, complainant and his father Nishan Singh were sitting near the

Mandi. At about 4/4.30 p.m, one Santro and one Skoda car arrived at the spot. Lakhbir Singh @ Angrej Singh, Charanjit Singh, Sonu, Vikku, Sonu, Cheema, Bhajji (present petitioner) along with 4-5 companions carrying swords and hammer in their hands, alighted from these vehicles. The complainant further stated that as soon as they arrived, they attacked both of them.

The present petitioner is named in the FIR. He was stated to be armed with *kirpan*. It is stated that Vikku, Sonu and Bhajji attacked the complainant and gave several blows to him with their respective swords and complainant received injuries on his right arm, both legs and left foot. Co-accused also gave injuries to the complainant and his father with hammer.

Keeping in view the facts and circumstances of the present case, nature and gravity of the offence and in view of fact that active role has been played by the present petitioner in the occurrence and specific injuries have been attributed to him, I do not find it a fit case where petitioner is entitled to benefit of regular bail.

Therefore, finding no merit in the present petition, the same is dismissed.

However, as the petitioner is stated to have been in custody since 07.12.2014, therefore, the trial Court is directed to decide the case expeditiously by giving short adjournments and if necessary, even day to day adjournments.

April 25, 2017
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No