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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No. 9667 of 2017
Date of Decision: 30.05.2017

Munish

.....Petitioner

Vs

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Manoj K.Tanwar, Advocate,
for the petitioner.

Ms. Gaganpreet Kaur, A.A.G., Haryana.

Mr. Shailender Singh Momi, Advocate,
for the complainant.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No. 41, dated 17.04.2015, under Sections 148, 149, 323, 324, 326, 506, 212, 216, 201 and 302 I.P.C. and Section 25 of the Arms Act, registered at Police Station Dhand, District Kaithal.

The F.I.R. was registered on the statement of Anoop with the allegations that on 16.04.2016 at about 2.00 p.m., the

complainant, along with son of his maternal aunt, namely Sachin, was going from their house on motorcycle to Village Nighdu and when they reached near the house of Manish and Monu, they were found unloading fodder from the bullock cart parked in the street. There was some altercation on account of way for crossing the motorcycle. The petitioner and Amit @ Dhakad were also standing there. Thereafter, when the complainant and his cousin Sachin, along with Sahil @ Kamal were going from Stadium at Karnal towards the powerhouse for running then at about 6.00 p.m., Manish, Monu, Amit @ Dhakad, accompanied by four other persons, came there. Munish (petitioner) caught hold of Sachin from behind and locked his arms. Amit @ Dhakad inflicted injuries with knife on the person of Sachin. The unknown boys also caught hold of the complainant and locked his arms. Thereafter, Monu gave a knife blow on the left leg near hip of the complainant. Another boy gave a *danda* blow from back on the shoulder of the complainant. Remaining two boys gave stick blows to Sachin. During investigation, those two boys were found to be Randhir and Amit @ Billu. As many as twelve persons were involved in the occurrence.

During course of arguments, it has come to notice of the Court that except the petitioner and Amit @ Dhakad, all

other accused have been granted the concession of bail.

Injury No. 1 on the person of Sachin was found to be fatal and the said injury was attributed to Amit @ Dhakad.

Randhir and Amit @ Billu have already been granted the concession of bail. Injuries were also attributed to them, *viz-a-viz*, the person of the deceased.

Learned State counsel on instructions from A.S.I. Jaipal Singh submitted that out of total 34 prosecution witnesses, 23 prosecution witnesses have already been examined.

Earlier prayer of the petitioner was withdrawn on 16.12.2016.

Co-accused, namely Vikas and Mohan, have already been granted the concession of bail by this Court on 07.03.2017 and 24.05.2017.

The petitioner is in custody since 20.04.2015.

Material witnesses, namely Anoop PW-3 and Sahil @ Kamal PW-4, have been examined.

At this stage, without adverting to merits of the case, I deem it appropriate to enlarge the petitioner on regular bail.

In view of above, petition is allowed. Petitioner is ordered to be enlarged on regular bail, subject to his furnishing adequate bail bonds/ surety bonds 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.

May 30, 2017

Apurva

**(RAJ MOHAN SINGH)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No