

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

**CRM-M No. 11519 of 2018
DATE OF DECISION :- April 23, 2018**

Sujeet **...Petitioner**

Versus

State of Haryana **...Respondent**

CORAM: HON'BLE MR. JUSTICE H.S. MADAN

Present:- Mr. Jagmohan S. Ghumman, Advocate for the petitioner.
Mr. Gaurav Bansal, AAG, Haryana.

This petition for regular bail has been filed by petitioner Sujeet, an accused in F.I.R. No. 45 dated 21.6.2017 for offences under Sections 148/149/323/307/506 IPC and Section 25 of the Arms Act registered with Police Station Sector 37, Gurugram, District Gurugram.

Briefly stated the facts of the case as per the prosecution story are that on 20.6.2017 in the after noon time, complainant Sonu @ Akash, Sujeet, Inderjeet, Kale, Rohit @ Chhota Sandhu, Sohita, Sachin and 3-4 persons were quarreling with some other person. When several people gathered, the accomplices of Sonu ran away from the spot, however, Sonu disclosed their names to the people who had gathered there. For that very reason, at about 10.00 P.M. when complainant was getting his mobile phone recharged then accused Sujeet along with other co-accused arrived having

baseball bats and pistols. Sujeet had given a baseball bat blow to the complainant hitting him on thigh whereas Inderjeet had fired a shot hitting the complainant in the abdomen. The other co-accused gave kick and fist blows to the complainant. The petitioner was arrested on 23.6.2017.

The petitioner had moved an application for grant of regular bail before the Court of Sessions but the same was dismissed by Additional Sessions Judge, Gurugram as such he has knocked the door of this Court for similar relief by filing the present petition. The petition is being resisted by the State counsel.

I have heard learned counsel for the petitioner, learned State counsel besides going through the record.

As admitted by the State counsel the injury attributed to the present petition is with baseball bat on thigh of complainant which is a non vital part and that injury was declared to be simple in nature. His co-assailant Inderjeet who had caused gun shot injury to the complainant has since been granted benefit of bail by a coordinate Bench of this Court vide order dated 28.11.2017 passed in CRR No. 3593 of 2017 for the reason that he is a juvenile, therefore, entitled to benefit of bail.

Although the trial is stated to be pending but its conclusion is likely to take some time as such I find that it would be in fitness of things if the present petition is allowed. The petitioner is ordered to be released on bail on furnishing bail bond and surety bond to the satisfaction of the learned trial Court/CJM/Duty Magistrate, Gurugram subject to the following conditions : -

- (i) he shall appear in the Court on each and every date of

hearing.

- (ii) he shall not give any threat or intimidation to the prosecution witnesses.
- (iii) he shall not leave India without prior permission of the Court and shall surrender his Passport, if he has got one otherwise to furnish affidavit in that regard.

In addition to that the trial Court may impose any term and condition found suitable to ensure that the petitioner does not abscond and interfere in the trial.

In case the petitioner violates any term and condition on which the bail has been granted to him, the order shall be liable to be withdrawn.

(H.S. MADAAN)
JUDGE

April 23, 2018
p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No