

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

207

CRM-M NO.13382 OF 2018

DATE OF DECISION: MAY 17, 2018

Vijay Mohan

.....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR.JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Bijender Dhankhar, Advocate,
for the petitioner.

Mr. Apoorv Garg, DAG, Haryana,
for the State.

Mr. Rakesh Kumar, Advocate,
for the complainant.

AUGUSTINE GEORGE MASIH, J. (ORAL)

The petitioner has filed the present petition for grant of regular bail in case FIR No.355, dated 30.12.2017, registered under Sections 147, 148, 149, 323, 325, 308, 506 IPC (lateron added under Sections 308, 325 IPC), at Police Station City Mandi Dabwali, District Sirsa.

It is the contention of learned counsel for the petitioner that the petitioner was arrested on 27.01.2018 and he is in custody since then. His submission is that the injury, which has been attributed to the petitioner, is on the person of Prahlad, Uncle of the complainant, with a lathi. He further states that injuries have been found to be simple in nature. He also contends that no further recovery is to be effected from the petitioner and the trial is

not likely to conclude in near future. Prayer has, thus, been made for grant of bail.

Counsel for the State could not dispute these factual assertions on instructions from ASI Dalip Singh, Police Station City Dabwali, District Sirsa. He, however, states that apart from this, there are allegations that kick and fist blows were also given by all the accused.

These being general allegations would not make much of a difference.

Counsel for the complainant has asserted with force that the petitioner was part of the unlawful assembly and had intentionally caused injuries and, therefore, he be not granted the concession of bail.

Having considered the submissions made by counsel for the parties and keeping in view the custody period of the petitioner, with the trial not likely to conclude in near future and the allegations against the petitioners, the present petition is allowed. The petitioner is directed to be released on bail on his furnishing personal and surety bonds to the satisfaction of Trial Court/Chief Judicial Magistrate/Duty Magistrate, Sirsa.

Any observation made herein above shall have no bearing on the merits of the case during the trial in any manner.

May 17, 2018
khurmi

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No