

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-13925-2018

Date of decision: 17.04.2018

Randhir Singh and others

... Petitioners

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Arjun Sheoran, Advocate
for the petitioners.

Mr. Himmat Singh, DAG, Haryana

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.55 dated 15.03.2018 under Sections 147, 149, 332, 353, 186, 307, 427, 506, 120-B IPC, registered at Police Station Narnaund, District Hansi.

Learned counsel for the petitioners, at the very outset, submits that he may be permitted to withdraw the present petition qua petitioner No.1 Randhir Singh and petitioner No.2 Sarjeet.

In view of the above, present petition qua petitioners No.1 & 2 is dismissed as withdrawn at this stage.

Learned counsel for the petitioners submits that as per the allegations in the FIR, the dispute is with regard to property of Dada Kala Peer Math situated in the village, between two sects regarding succession of the Math, which fell vacant on account of death of Yogi Nandoi Nath. It is further alleged in the FIR that number of persons in the shape of a mob started pelting

stones on the police party and DSP Narender Kadiyan was injured and injury No.1, which is a lacerated wound of 2cm x 0.3 cm on right side of forehead, was later on declared dangerous to life by the doctor.

Learned counsel for the petitioners further submits that there are no specific allegations against petitioners No.3 to 10 that they have caused any injury to injured DSP Narender Kadiyan. It is further submitted that the petitioners are not involved in any other case and they have been roped in the case only on account of the fact that they have been supporting one sect of the persons. Counsel for the petitioners has further submitted that the petitioners are in judicial custody since 14.03.2018, investigation is complete and they are no more required for any further investigation.

Learned State counsel, on instructions from ASI Lalit Kumar, has relied upon the opinion given by the doctor regarding injury No.1 sustained by DSP Narender Kadiyan, wherein it has been reported as *“injury on head can be fatal if treatment not taken on time, the possibility of the injury dangerous to life cannot be ruled out.”*

Without commenting anything on merits of the case, considering the fact that the petitioners are not involved in any other case and they are inhabitants of the village, where the disputed property is situated; as per the version given in the FIR, the stones were pelted by a mob and also in view of the fact that the investigation is complete; petitioners are no more required for any further investigation and conclusion of the trial will take some time, this petition is allowed and petitioners No.3 to 10 namely Mahabir son of Badlu, Azad son of Phool Ram, Ram Kumar son of Lakhi Ram, Sadhu Ram son of Shankar, Balbir son of Uday, Ram Kumar son of Mangat Ram, Shamsheer son

of Ram Chander and Narender son of Samunder are directed to be released on regular bail subject to furnishing their bail/surety bond to the satisfaction of the trial Court/Illaqa Magistrate/Duty Magistrate.

Petition is disposed of.

17.04.2018

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[ARVIND SINGH SANGWAN]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No