IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-20378-2018
Date of decision:- 30.5.2018

Lokesh @ Teetu

...Petitioner

Versus

State of Haryana

...Respondent

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

Present: Mr. Akashdeep Singh, Advocate
for the petitioner.

Mr.Neeraj Poswal, AAG, Haryana

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H.S. MADAAN, J. (Oral)

This petition has been filed for the grant of regular bail to the petitioner – Lokesh @ Teetu, an accused in FIR No.131 dated 5.2.2018, under Sections 148, 149, 323, 324, 506 IPC (Section 307 IPC and 25 of Arms Act added later on), registered at Police Station Sector-7, Faridabad.

FIR in this case was recorded at the instance of complainant son of Satbir Tewatia, resident of village Sihi, Sector-8, Faridabad, a businessman by profession, who in a written complaint submitted at Police Sector – 8, Faridabad stated that on 4.2.2018 at about 10:30 p.m. when he along with Dinesh and Manjit Singh was standing behind a liquor shop near Grain Market, Sector – 8, Faridabad, then all of a sudden

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one Bolero car, white in colour came and stopped near them in which Shravan, Lokesh @ Teetu (present petitioner), Tejpal, Puneet, Hari Om alias Honey were occupants of that car; that they were carrying a sword, farsa and pistol and they attacked the complainant as well as Dinesh and Manjit Singh; that on an alarm being raised by them, the assailants ran away from the spot along with their respective weapons giving threats. After registration of the FIR on the basis of statement of complainant, the matter was investigated. Petitioner/accused Lokesh @ Teetu was arrested in this case. He had moved an application for regular bail in Court of Sessions at Faridabad but was unsuccessful as the same was dismissed vide order dated 20.4.2018 passed by learned Additional Sessions Judge, Faridabad, as such, he has approached this Court for grant of similar relief.

Notice of the petition was given to the State and State counsel has put in appearance.

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

Learned counsel for the petitioner has contended that the petitioner is in custody since 8.2.2018; that the injury attributed to the petitioner is simple in nature; that though the challan has been filed in the Court but the conclusion of trial is likely to take considerable time, as such, concession of regular bail be granted to the petitioner.

Whereas the request is being opposed by the State counsel.

After hearing the rival contentions of learned counsel for the parties and going through the record, I find that the injury attributed to the

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petitioner is simple in nature and the injury, which had been declared to be dangerous to life is attributed to the other co-accused. Though the challan is said to have been filed in the Court but the trial is at initial stage and its conclusion is likely to take some time. The guilt of the petitioner shall be determined during the trial.

Accordingly, the petition is allowed. The petitioner be admitted to bail during the pendency of the trial, subject to his furnishing bail bonds and surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate, Faridabad, 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; and

(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 prosecution would be entitled to apply for cancellation of bail.

30.5.2018 **(H.S. MADAAN)**
Brij **JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

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