

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

**CRM-M-28478 of 2018**  
**Date of Decision: 17.07.2018**

Kamaldeep @ Kamlu

....Petitioner

**VERSUS**

State of Haryana

....Respondent

**CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA**

Present: Mr. P.S. Ahluwalia, Advocate  
for the petitioner.

Ms. Dimple Jain, AAG, Haryana.

Dr. Pawan Kumar Aryan, Advocate  
for the complainant.

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**SURINDER GUPTA, J.(Oral)**

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.204 dated 23.10.2017 registered for offences punishable under Sections 148/149/323/324/325/326/307/379-B/473/506/120-B of Indian Penal Code (for short, "IPC") and 25 of the Arms Act, at Police Station Chhappar, District Yamunanagar.

Heard.

As per the case of prosecution, the occurrence took place on 22.10.2017 at about 08.45 a.m., when the complainant was returning on his motorcycle from Khera Mandir, where he had gone to pay obeisance and had reached just ahead of Patwarkhana turn. A white coloured Swift car bearing registration No.HR-02W-2431 came on the road and driver of the car hit the motorcycle of complainant, as a result of which, he struck against the wall. The car also struck against the wall. Thereafter, complainant was

caused injuries by several persons. In all, he suffered seven injuries out of which three were fractures.

Learned counsel for the petitioner submits that petitioner has not been attributed any injury which was declared dangerous to life. He has been attributed fracture injury on the leg of complainant-Satnam Singh, which was grievous in nature and attracts the offence punishable under Section 326 IPC. The petitioner has been in custody since 23.12.2017 and co-accused, namely, Manish Kumar with similar allegations has been allowed regular bail by this Court vide order dated 06.07.2018 passed in CRM-M-27014-2018.

Learned State counsel while opposing the prayer made by learned counsel for the petitioner submits that the manner in which the occurrence took place is very serious in nature. Accused party had hit motorcycle of the complainant with a view to kill him. However, he got saved and then was caused seven injuries.

Without expressing any opinion on merits of the case and keeping in view the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Kamaldeep @ Kamlu is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- (a) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel

his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.

- (c) He shall not leave the country without the previous permission of the Court.

July 17, 2018  
jk

( SURINDER GUPTA )  
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No