

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

1. **CRM-M-32826-2018 (O&M)**
Rahul
.....Petitioner
Versus
State of Haryana
.....Respondent
2. **CRM-M-33116-2018 (O&M)**
Dharmender
....Petitioner
Versus
State of Haryana
....Respondent

Date of decision: 20.08.2018

CORAM : HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Jangvir Singh Hooda, Advocate, for the petitioner(s).

Mr. Ashok Singh Choudhary, Addl. A.G. Haryana.

GURVINDER SINGH GILL, J. (ORAL)

CRM-28205-2018 in CRM-M-32826-2018

Prayer made in the application for filing amended bail application with necessary correction of Section 379-A IPC to Section 379-B IPC in the petition and adding of Sections 323 and 324 IPC in head note and prayer clause.

Notice of the application to non-applicant/respondent.

Upon request made by this Court, Mr. Ashok Singh

Choudhary, Addl. A.G. Haryana accepts notice on behalf of the respondent.

In view of the reasons mentioned in the application, the same is allowed and the amended petition annexed with the application is taken on record.

CRM-27492-2018 in CRM-M-33116-2018

Prayer made in the application for correction of Section 379-A IPC to Section 379-B IPC and adding of Sections 323 and 324 IPC in head note and prayer clause.

Since the amended bail application has already been taken on record vide order dated 17.8.2018, therefore, the present application has been rendered infructuous.

Accordingly, the application is disposed of having been rendered infructuous.

**CRM-M-32826-2018 (O&M) (Rahul)
and
CRM-M-33116-2018 (O&M) (Dharmender)**

This order shall dispose of above-mentioned two petitions filed on behalf of petitioner Rahul and Dharmender seeking regular bail in FIR No.159 dated 18.4.2018 under Sections 148, 149, 379-B, 506 IPC (Sections 323, 324 IPC added later on) and Sections 25, 54, 59 of Arms Act, Police Station NIT, District Faridabad.

The FIR was lodged at the instance of Rishi Pal. It is alleged that on the day of occurrence he accompanied Rahul and Chander Parkash to a hotel room where Dinesh Pandit along with Anuj Bhadan hurled abuses and gave beatings to the complainant. Thereafter 15-20 boys attacked him with bottle and pistol butt and also gave beatings to Rahul (from the

complainant side) and Chander Parkash. Complainant is alleged to have sustained injuries on his person. Dinesh Pandit was allegedly carrying a pistol and Anuj Bhadan exhorted Dinesh Pandit to kill all three of them but somehow the pistol did not fire. Thereafter the accused are alleged to have snatched an amount of ₹5700/- from complainant and ₹10,500/- from Rahul and also snatched and broke mobile phones of complainant and of Rahul.

Notice of these petitions were issued to the State.

Learned State counsel, upon instructions from SI Ayul Khan, has opposed the present petitions by stating that three of the accused namely Anuj, Neeraj and Murli are yet to be arrested.

Having heard the learned counsel for the petitioners and learned State counsel and bearing in mind the facts and circumstances of the case and also that the petitioners have been behind bars since the last more than two months, in my opinion, further detention would not serve any fruitful purpose as the trial in its normal course is likely to consume some time before it is finally concluded. The petitions, as such, are accepted. Petitioners Rahul and Dharmender are ordered to be released on bail on their furnishing bail bonds/surety bonds to the satisfaction of learned Illaqa Magistrate/Duty Magistrate, Faridabad.

(Gurvinder Singh Gill)
Judge

August 20, 2018
mohan

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No