

**CRM-M-33562-2018 and
CRM-M-33723-2018**

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

Date of Decision:24.08.2018

1. CRM-M-33562-2018

Rahul alias Vicky Tuteja alias Chourasiya

... Petitioner

Versus

State of Haryana

... Respondent

AND

2. CRM-M-33723-2018

Nitin Lamba @ Mani Lamba

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Namit Khurana, Advocate,
for the petitioner in CRM-M-33562-2018.

Mr. N.S.Shekhawat, Advocate,
for the petitioner in CRM-M-33723-2018.

Mr. B.S.Virk, DAG, Haryana.

Mr. Ramnish Puri, Advocate,
for the complainant.

INDERJIT SINGH, J. (Oral)

This order shall dispose of CRM-M-33562-2018, filed by
petitioner-Rahul alias Vicky Tuteja alias Chourasiya and CRM-M-
33723-2018, filed by petitioner-Nitin Lamba @ Mani Lamba, under

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Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.558 dated 28.09.2016, registered at Police Station City Yamuna Nagar, District Yamuna Nagar, under Sections 148, 149, 323, 506 and 302 of the Indian Penal Code.

Notice of motion was issued in both these petitions. Learned State counsel appeared on behalf of the respondent-State and complainant also appeared through his counsel. They contested these petitions.

I have heard learned counsel for the parties as well as learned State counsel and gone through the record.

From the record, I find that although both the petitioners are named in the FIR, but no specific injury has been attributed to them. However, learned State counsel has brought into notice of this Court that injured-Suraj stated in his statement under Section 161 Cr.P.C. that both the petitioners were armed with *dandas* and gave simple injuries to him by *danda* blows. No injury to the deceased has been attributed to the present petitioners.

Moreover, petitioner-Rahul alias Vicky Tuteja alias Chourasiya has been in custody since 03.10.2016 whereas petitioner-Nitin Lamba @ Mani Lamba has been in custody since 29.09.2016. They are not required for any investigation or interrogation purposes as they are in judicial custody. The trial of the case will take a long time. No useful purpose will be served by keeping them in custody till the final disposal of the case.

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Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, both these criminal miscellaneous petitions are allowed and the petitioners are ordered to be released on bail subject to their furnishing personal bonds in the sum of ₹50,000/- with one surety in the like amount each to the satisfaction of the trial Court/Duty Magistrate.

24.08.2018
parveen kumar

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	:	Yes
Whether reportable	:	No