

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

**1. CRM-M-34086 of 2018
Date of Decision: 14.08.2018**

MadanPetitioner

VERSUS

State of HaryanaRespondent

2. CRM-M-34125 of 2018

VinodPetitioner

VERSUS

State of HaryanaRespondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Ravi Malik, Advocate
for Mr. Sanjeev K. Panwar, Advocate
for the petitioners in both the petitions.

Mr. Deepak Grewal, DAG, Haryana.

SURINDER GUPTA, J.(Oral)

Present petitions have been filed under Section 439 Code of Criminal Procedure for grant of regular bail to petitioners in case FIR No.127 dated 24.02.2018 registered for offences punishable under Sections 148/149/323/307/506 of Indian Penal Code (for short, "IPC") and 25 of the Arms Act, at Police Station Camp Palwal, District Palwal.

Heard.

As per case of prosecution, the occurrence took place on 24.02.2018 at about 07.00 a.m., when son of complainant was attacked by group of persons, namely, Amar Singh, Mahender, Shiv Singh, Madan (petitioner), Parmod, Vinod, Tanuj, Rajender, Gyanwati, Suman, Radha and wife of Rajender. Amar Singh fired shot at son of the complainant from his

which Amar Singh and Mahender fired towards him and one of the bullet pierced after touching ear of complainant. The other accused hurled bricks and stones towards complainant and his son.

Learned State counsel submits that main accused in this case are Amar Singh and Mahender. During investigation, six persons, named as accused in the FIR have been found innocent while the petitioners have been attributed brick and stone blows towards complainant and his son.

It is admitted that in medical report only one injury was found on the person of complainant. Petitioners have not been attributed any specific injury to complainant or his son. They were arrested on 24.02.2018 and are in custody since then.

In view of above but 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 petitions are allowed. Petitioners, namely, Madan and Vinod are 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) Petitioners shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of their absence on any date of hearing, the benefit of bail allowed to petitioners shall stand withdrawn. The trial Court shall be competent to cancel their bail bonds and surety bonds and proceed to procure their presence in accordance with law. In that eventuality petitioners shall have to apply for bail afresh.
- (c) They shall not leave the country without the previous permission of the Court.

August 14, 2018
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No