

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

CRM-M-38477-2018 (O&M)

Date of Decision:-28.9.2018

Nikhil

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Shilak Ram Hooda, Advocate for the petitioner.

Mr. Navdeep Singh, Assistant Advocate General, Haryana.

GURVINDER SINGH GILL, J.(Oral)

The petitioner seeks grant of anticipatory bail in respect of FIR No.551 dated 12.11.2017 under Sections 148, 149, 323, 440, 452, 307, 506, 458 of Indian Penal Code, 1860 and Sections 25, 54 and 59 of Arms Act, Police Station Sadar Ballabgarh.

The FIR was lodged at the instance of Ravinder wherein he alleged that on the day of occurrence the accused entered their house carrying sticks, iron rods and started hurling abuses and ransacked their house. It is alleged that Jagbir @ Pappu and Mohit fired shots from the pistols which they were holding but the shots crossed over the head of the complainant and he was saved. It is alleged that when complainant's uncle Gyan Chand tried to reason-out with the assailants then Bhagwan Singh exhorted that the complainant and others should be finished, upon which Satbir, Satpal and Naveen gave beatings to his uncle with sticks. It is alleged that Naveen gave a blow with 'Sariya' on the left hand of the complainant and Gajna inflicted injuries to Suman wife of the complainant with stones

and bricks. It is further alleged that Nikhil (petitioner) inflicted several injuries to Deepak and Satish.

Notice of this petition was issued to the State.

Learned State counsel has informed that out of 9 accused 5 have been granted regular bail while 2 have been granted anticipatory bail. It has further been informed that a pistol has been recovered from co-accused Pappu. Learned State counsel has further informed that injuries found on the person of members of complainant party were found to be simple in nature and no injury was found to have been caused by fire-arm. The learned State counsel has submitted that the petitioner has since joined investigation.

Having regard to the facts and circumstances of the case and bearing in mind that the petitioner is stated to be a young-man of 19 years, in my opinion, it is a fit case where the concession of bail can be extended to be petitioner. The petition as such, is accepted and the interim directions issued by this Court vide order dated 5.9.2018 are hereby made absolute subject to the condition that the petitioner shall appear before the Investigating Officer as and when directed.

This present petition stands accepted accordingly.

28.9.2018

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No