

CRM-M-45249 of 2017

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

CRM-M-45249 of 2017
Date of decision: 12.01.2018

Mohan and another
versus
.....Petitioners

State of Haryana
.....Respondent

CRM-M-44975 of 2017

Dharambir and others
versus
.....Petitioners

State of Haryana
.....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. Kuldeep Sheoran, Advocate, for the petitioners
(in CRM-M-45249 of 2017).
Mr. Sanchit Punia, Advocate, for the petitioners
(in CRM-M-44975 of 2017).
Mr. Ravi Pratap, AAG, Haryana.

RAMENDRA JAIN, J. (ORAL)

This order shall dispose of both the afore-titled petitions filed under Section 439 Cr.P.C. for grant of regular bail to the petitioners in cases FIR No.774 dated 01.08.2017 registered under Sections 147, 149, 323, 324, 326, 506 and 34 IPC and FIR No.775 dated 01.08.2017 under Sections 147, 148, 323, 324, 325, 326 and 506 IPC at Police Station Sadar Hisar, District Hisar.

Initially petitioner Mohan (in CRM-M-45249 of 2017) got registered FIR on the allegations that around 9.00 a.m. On 01.08.2017, when he was taking his turn of canal water, petitioners namely, Dharambir,

CRM-M-45249 of 2017

his son Sunil and one Subhash (in CRM-M-44975 of 2017), raising lalkara that they would not allow him to irrigate his fields, caused him injuries with their respective weapons and ran away. According to the cross-version recorded by Dharambir, Mohan son of his maternal uncle, had taken Rs.35 lakh from him for purchasing Kishan Credit Card in his name, but he did not do so and when he asked petitioner Mohan to refund the money, he, his labourer Harphool and others attacked him with their respective weapons.

Learned counsel for the petitioners contended that it is yet to be ascertained as to who was the aggressor and which of the stories put forth by both the parties is true. Petitioners Mohan and Harphool are in custody since 18.09.2017, whereas petitioners Dharambir and others are in custody since 21.08.2017. Final report has already been filed in the Court. Framing of the charge and conclusion of trial may take a long time. No useful purpose would be served by detaining the petitioners any more in jail.

Considering over-all facts and circumstances, but without expressing any opinion on the merits of the case, the petitions are allowed. Consequently, petitioners are ordered to be released on bail, on their furnishing bail bonds and surety bonds, to the satisfaction of Trial Court/Duty Magistrate concerned.

(Ramendra Jain)
Judge

January 12, 2018
R.S.

Whether speaking/reasoned Yes/No

Whether reportable Yes/No.