

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-4291-2019 (O&M)
Date of Decision:- 4.2.2019

Vikram @ Kala

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Anil Kumar Malik, Advocate, for the petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in case registered vide FIR No.768, dated 15.8.2018, registered at Police Station Model Town, Panipat, District Panipat, under Sections 148, 149, 323, 325, 506 IPC wherein offence under Section 307 IPC has been added later on.
- 2 The FIR was lodged at the instance of Mahipal wherein it has been alleged that on 12.8.2018, at about 9.00 PM when he was going for his work and reached near illegal liquor vend in front of J.R. School, then he saw that 20-25 persons, who were rescuing one boy who was being given beatings. When the complainant asked them about the

reason for the beatings, then one of the boys who was carrying a wooden stick retorted that the complainant should first be taught a lesson and upon which 5-6 boys attacked the complainant and gave injuries to him on his forehead a little above the left eye. It is alleged that later on he came to know about names of some of them as Gurdev, Kala and Gaggi who had given blows with stick on his right hand and back.

3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and that in any case the petitioner had earlier been released on bail and it was subsequently after about 2 months when offence under Section 307 IPC was added that he was arrested. It has further been submitted that even after his arrest, the petitioner has been behind bars since the last about more than 3 months.
4. The aforesaid position is not disputed by the learned State counsel. It has also been informed that challan has been presented, although the charges are yet to be framed.
5. Having regard to the facts and circumstances of the case and the fact that it is a case where the accused were stated to be armed with blunt weapons i.e. only with sticks and also that the petitioner has been behind bars for the last more than 3 months, in my opinion, it is a fit case for grant of regular bail especially when the challan has already been presented. The petition, as such, is accepted and petitioner-Vikram @ Kala is ordered to be released on regular bail on his

furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

6. This petition stands accepted accordingly.

February 4, 2019
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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No