

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

CRM-M-7448-2019

Date of Decision: 25.02.2019

Manoj and another

... Petitioners

Vs.

State of Haryana

... Respondent

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. Keshav Pratap Singh, Advocate
for the petitioners.

Mr. Vikas Malik, D.A.G. Haryana.

RAJBIR SEHRAWAT, J. (Oral)

Through this petition, the petitioners have sought for grant of bail pending trial in case FIR No.105 dated 25.03.2018, registered under Sections 148, 149, 307, 323, 326, 325, 427, 506 IPC and Section 3 of SC/ST (Prevention of Atrocities) Act, 1989 at Police Station City Sohna, District Gurugram (Section 325 IPC has been deleted in the Challan and Section 25 of Arms Act, 1959 and Section 325 have been added).

Learned counsel for the petitioners contends that petitioners were not even named in the FIR at the first instance. The petitioners were implicated only on the basis subsequent supplementary statement. Even as per the supplementary version, the allegation against the petitioners is only qua having caused 'Danda' blow to the injured. However, even the alleged injuries have been found to be simple in nature. It is further submitted that in any case, the petitioners are not attributed any injury dangerous to life. The co-accused of the petitioners have already been granted bail by this Court. The present petitioners are in custody since 11.1.2019.

On the other hand, learned State counsel, being instructed by

ASI Rajender Singh submits that petitioners were part of the mob which had attacked the complainant.

However, it is not disputed that names of the petitioners were not mentioned in the initial version of the case and even as per the subsequent version the allegation against the petitioner is only to the extent of causing simple injury with 'Danda' blow.

In view of the above facts and circumstances, but without expressing any further opinion on the merits of the case, the present petition is allowed. The petitioners are ordered to be released on bail pending trial subject to his furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate, concerned.

25.02.2019

rajeev

(RAJBIR SEHRAWAT)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No