

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

104+213

Date of Decision: 15.01.2019.

(1) CRM-M No.39530 of 2018 (O&M)

Vikram BachhalPetitioner.

Versus

State of HaryanaRespondent.

AND

(2) CRM-M No.51587 of 2018

Abhishek alias ChaniPetitioner.

Versus

State of HaryanaRespondent.

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr. A.P.S. Deol, Senior Advocate, with
Mr. Himmat Singh Deol, Advocate
for the petitioner (in CRM-M-39530-2018).

Mr. Sutikshan Sharma, Advocate
for the petitioner (in CRM-M-51587-2018).

Mr. Neeraj Poswal, Assistant Advocate General, Haryana.

Shekher Dhawan, J.

CRM-1296-2019 in CRM-M-39530-2018

Documents Annexures-P5 and P6 i.e. statements of Piyush Gulati-PW3 and Tushar Arora (PW4) recorded before learned trial Court, are taken on record, subject to all just exceptions.

Main Cases

These two petitions under Section 439 of the Criminal Procedure Code have been filed by petitioners Vikram Bachhal and Abhishek alias Chani for grant of regular bail in case F.I.R. No.167 dated 15.04.2018 under Sections 148, 149, 323, 325, 341, 307, 365, 511, 506 of the Indian Penal Code, registered at Police Station Baldev Nagar, District Ambala.

Learned counsels representing the petitioners contended that as per allegations against the petitioners, they had caused injuries to Piyush Gulati and Tushar Arora and both of them have been examined before learned trial Judge as PW3 and PW4 and copies of their statements are available on the file. Petitioner-Vikram Bachhal was arrested on 14.06.2018 and petitioner-Abhishek alias Chani was arrested in this case on 20.04.2018.

Learned State counsel, on instructions from Sub Inspector Suresh Pal, contended that one of the injured, namely Gagandeep Singh is still in critical condition, but fairly conceded that both the petitioners had not caused any injury to said Gagandeep Singh. The petitioners allegedly caused injuries to Piyush Gulati and Tushar Arora, who have already been examined before learned trial Judge and they have not supported the prosecution case.

Taking all the facts into consideration that petitioner Vikram Bachhal is in custody since 14.06.2018 and petitioner-Abhishek alias Chani is in custody since 20.04.2018 and the material witnesses qua them, namely, Piyush Gulati and Tushar Arora, have not supported the prosecution case, no purpose shall be served by detaining the petitioners behind the bar, both

**CRM-M No.39530 of 2018 and
CRM-M No.51587 of 2018**

(3)

these petitions are allowed. The petitioners are ordered to be admitted on regular bail on furnishing adequate bail bonds and surety bonds to the satisfaction of concerned learned trial Judge/ Chief Judicial Magistrate/ Duty Magistrate.

**(SHEKHER DHAWAN)
JUDGE**

15.01.2019
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Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No