

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

**CRM-M-27148-2019
Date of decision: 01.07.2019**

Vikas @ Vicky

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Karan Singh, Advocate
for the petitioner.

Mr. Satish Saini, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 115 dated 20.05.2019, under Sections 148, 149, 323, 325, 452, 427, 506, 307 (added later on) and 120-B of the IPC, registered at Police Station Mullana, District Ambala.

At the very outset, learned counsel for the petitioner submits that the petitioner is ready to compensate the complainant by depositing a demand draft of Rs. 50,000/-, favouring the complainant, with the trial Court, on account of the damages caused to his property, which may further be handed over to complainant, subject to the final outcome of the case.

Learned counsel for the petitioner further submits that main accused Aashish Kumar @ Milkhi @ Kaka is the nephew of the complainant and they are having some property dispute in the civil as well as criminal court and the petitioner has been nominated in the FIR only on account of the fact that he is the friend of main accused Aashish @ Milkhi

@ Kaka. It is further submitted that petitioner is not involved in any other case.

Learned counsel for the petitioner has referred to the FIR to submit that there are direct allegations against accused Aashish Kumar that he has caused injury on the head of the complainant, whereas the petitioner had allegedly caused injury on the leg and arms of the complainant with the iron pipe blow and when the son and wife of the complainant came to his rescue, they were also given injuries.

Learned counsel for the petitioner further submits that petitioner is in judicial custody since 07.06.2019 and conclusion of the trial is likely to take a long time.

Learned State counsel, on instructions from ASI Jobanjeet Singh, could not dispute the factual position.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the submissions of learned counsel for the parties, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

However, this will be subject to the condition that petitioner will deposit a demand draft of Rs. 50,000/-, favouring the complainant, with the trial Court/Duty Magistrate, which in turn, will be handed over to the complainant, subject to the final outcome of the case.

01.07.2019

Waseem Ansari

*Whether speaking/reasoned
Whether reportable*

(ARVIND SINGH SANGWAN)

JUDGE

*Yes/No
Yes/No*