

211 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-32254-2019

Date of decision-19.09.2019

Amit @ Rinku

....Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Rahul Jaswal, Advocate for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana assisted by
ASI Hem Raj.

MANOJ BAJAJ, J.

Petitioner-Amit @ Rinku has prayed for grant of regular bail in case FIR No.118 dated 19.10.2018 registered under Sections 148, 323, 324, 341 and 506 read with Section 149 of Indian Penal Code, 1860 (Sections 325, 326, 307 and 342 IPC added later on) at Police Station Bapoli, District Panipat. The petitioner is in custody since his arrest on 22.10.2018.

The FIR was registered on the statement of the complainant Subhash wherein it was alleged that on 18.10.2018 at about 6.00 pm, when he was coming back to his residence on his motorcycle from his field and reached near Government Hospital a number of children were playing in the street. In order to save them, he turned his motorcycle on one side of the street. There Amit-petitioner along with his accomplices was standing in front of the motorcycle of the complainant. When the complainant asked him to be on a side, so that they may not be harmed, he starting abusing. In the meanwhile, co-accused of the petitioner grabbed the complainant and

petitioner gave several lathi blows to the brother of the complainant.

Learned counsel for the petitioner contends that in all there were 9 accused and after completion of investigation 5 have been found innocent. According to him, the injury attributed to the petitioner, is not punishable under Section 307 IPC and the said offence was also added later on, i.e. after two days of the occurrence on 20.10.2018. According to him, the trial is likely to take some time and further custody may not be justifiable. He further refers to order dated 28.08.2019 whereby regular bail has already been granted to co-accused.

On the other hand, learned State counsel assisted by ASI Hem Raj opposed the bail application on the ground that the specific role has been attributed to the petitioner. However, it is not disputed that the co-accused has been granted the concession of regular bail.

Considering the above background and the fact that the trial of the case is likely to consume considerable time, this Court does not find any valid reason to detain the petitioner any further in custody. Therefore, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court, Panipat.

The petition is allowed.

(MANOJ BAJAJ)
JUDGE

19.09.2019

vanita

Whether speaking/reasoned :
Whether Reportable :

Yes	No
Yes	No