

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

222

CRM-M-33229-2019 (O & M)

Date of Decision:26.08.2019

Vikas @ Vicky

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Chander Shekhar, Advocate for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

MANOJ BAJAJ, J.

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure for grant of regular bail in case FIR No.508 dated 02.11.2018, under Sections 323, 325, 307, 506, 34 and 120-B IPC, registered at Police Station Pehowa, District Kurukshetra.

The prosecution case is that Sunita Devi preferred a complaint, addressed to Incharge, Police Post Saraswati Vihar, Pehowa, alleging therein that on 7.10.2018 at about 8.30 P.M., his son Ranbir Singh was returning home through Randeep Park. At that time, accused Gogi son of Ram Lal, resident of Raj Guest House, Pehowa, Vikas @ Vicky son of Siri Niwas Babu Ram, resident of Pooja Colony, Pehowa, Sunder son of Munishi Ram, resident of Pehowa and Bantu, resident of Helwa, Tehsil Pehowa, District Kurukshetra had hidden themselves in the park behind stones. On seeing her son, the accused persons attacked on him with iron rods. On hearing cries of her son, the complainant reached on the spot and on seeing her, the accused fled from the spot. Accused persons had caused

several grievous injuries to her son. She took her son to Government

Hospital, Pehowa from where he was referred to LNJP Hospital, Kurukshetra. As her son had sustained serious injuries, therefore, he was referred to PGIMER, Chandigarh. On the basis of this complaint, a case under Sections 323, 325, 307, 506, 34, 120-B of Indian Penal Code was registered.

Learned counsel for the petitioner contends that the petitioner was not one of the assailants, who had attacked the victim. According to him, petitioner was indicted on the ground that he had facilitated the crime by disclosing the route of the victim to the assailants. The victim had suffered two injuries and one of the accused namely Rahul has already been released on bail by this Court vide order dated 23.07.2019 passed in CRM-M-30222-2019.

On the other hand, learned State counsel assisted by SI Ramesh has opposed the bail application on the ground that the petitioner was involved in the crime. However, it is not disputed that the petitioner was not present at the place of occurrence. The investigation of the case is also complete.

Considering the above background and the fact that the trial is likely to take some time, further detention of the petitioner may not be justified. 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 concerned.

The petition is allowed.

26.08.2019

sheetal

(MANOJ BAJAJ)
JUDGE

Whether Speaking/Reasoned: Yes/No
Whether Reportable : Yes/No