

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc. No. M-41660 of 2019 (O&M)
Date of decision : November 07, 2019

Ankush

....Petitioner

versus

State of UT, Chandigarh

....Respondent

Coram: Hon'ble Mr. Justice Fateh Deep Singh

Present : Mr. Vibhor Bansal, Advocate, for the petitioner

Mr. Lalit K. Gupta, Addl. PP, UT Chandigarh with
ASI Ashok Kumar

Fateh Deep Singh, J. (Oral)

The allegations against petitioner Ankush in this second regular bail application under Section 439 Cr.P.C., the first being dismissed as withdrawn vide orders dated 2.8.2018. Allegations have come about from the complainant elder sister of a minor girl alleging that the petitioner often used to harass the complainant and her younger sister and on one such occasion had caught hold of the hand of the younger sister of the complainant and threatened her that in case she will disclose to some body, he will throw acid on her face. It is thereafter when the complainant and her mother went to

lodge complaint with the family of the petitioner, a confrontation took place between the two sides whereby it is alleged that Sangeeta co-accused mother of the petitioner had given a knife blow on the hand of the mother of the complainant and all the accused tried to kill them. The allegations are further to the effect that the petitioner and his friends are drug addicts and often threatened the complainant side. On 3.6.2017, it is alleged that the accused along with his co-accused non-applicants had broken windowpanes of the house of the complainant and when they went out, 150 boys had surrounded their house and dragged brother of the complainant and gave him beatings and when one of the sister rushed to save her brother he too along with her mother were given beatings to the complainant and in the process has touched the breast of the younger sister of the complainant and dragged them leading to the registration of the present case in which the petitioner was arrested on 2.8.2017.

Mr. Vibhor Bansal, learned counsel for the petitioner inter-alia contends that the petitioner is behind the bars for more than two years and three months and it is a pure simpliciter rivalry between the two families and has sought to place reliance on Annexure P/2, an FIR simultaneously got lodged at the behest of the family of the petitioner against the complainant in the present

case.

Mr. Lalit K. Gupta, Addl. PP, UT Chandigarh assisted by ASI Ashok Kumar have opposed the grant of bail on the grounds of seriousness of the allegations and the fact that the trial is almost over.

Going through the submissions as is reflected from the two FIRs Annexure P/1 and P/2, apparently there is a case of allegations and counter-allegations by the two sides wherein their families appear to be involved in this ugly episode. The petitioner is behind the bars since a long time. Culpability, if any, shall be determined at the trial. Accordingly, the petitioner is ordered to be released on regular bail to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, Chandigarh.

The present petition stands disposed off accordingly.

The observations made herein above shall have no bearing on the merits of the case as these are purely for the disposal of the present bail application.

November 07, 2019
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(Fateh Deep Singh)
Judge

Whether speaking/reasoned ?
Whether Reportable ?

Yes/No
Yes/No