

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

**Crl. Misc. No.M-48589 of 2019 (O&M)
Date of Decision: November 21, 2019**

Parveen

.....PETITIONER(s).

VERSUS

State of Haryana

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Amit Kumar Jain, Advocate
for the petitioner (s).

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 314 dated 20.09.2019 registered for the offences punishable under Sections 148, 149, 323, 324, 326 of Indian Penal Code, at Police Station Murthal, District Sonapat.

Heard.

Notice of motion.

On asking of the court, Ms. Dimple Jain, A.A.G. Haryana, who is present in the Court accepts notice and submits that intimation by Registry informing of fixation of the petition has already been received and record of the case is available with her.

As per case of the prosecution, Himanshu Chahal was caused injuries by Sagar and Yashdeep. Rohit caught the injured from behind and Sagar gave a knife blow on his neck, which the injured took on his hand and took other knife blows on the other hand and back. Thereafter, Yashdeep

took the knife. Petitioner along with Harshal and 3 other boys caught the injured and Yashdeep gave a blow of knife in abdomen and chest of Himanshu.

Learned State counsel submits that petitioner was arrested on 10.10.2019. The matter is still under investigation. Co-accused Sagar has not been arrested while main accused Yashdeep has been arrested.

Keeping in view the above fact and that the petitioner has not been attributed any specific injury; the role attributed to him is that he caught injured Himanshu Chahal from behind when he was caused injuries and that conclusion of investigation and trial will take considerably long time but without expressing any opinion on merits of the case, the present petition is allowed. Petitioner Parveen is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- a. The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- b. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- c. He shall not leave the country without prior permission of the Court.

November 21, 2019

Sachin M.

**(SURINDER GUPTA)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No