

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

Sr. No.230

CRM-M-289-2020

Date of Decision: 14.01.2020

VISHAL AND ANOTHER

....Petitioners

VS

STATE OF HARYANA

....Respondent

**CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI**

Present: Mr.Namit Khurana, Advocate  
for the petitioners.

**ARCHANA PURI, J. (ORAL)**

Present petition has been filed for seeking regular bail in case bearing FIR No. 138 dated 18.11.2019, under Sections 148, 149, 323, 324, 326 (added later on), 427, 504, 506 IPC, registered at Police Station Buria, District Yamuna Nagar.

On the asking of the Court, Mr. Saurabh Girdhar, A.A.G., Haryana, who is present in the Court, accepts notice on behalf of the respondent-State.

Heard.

The aforesaid FIR was got registered by Sanjeev Kumar S/o Jas Pal on the accusation that on 17.11.2019 at around 9:00 P.M., when he was present at his home, accused Kumer Chand and Sanjeev came in front of his house on a motor cycle and started scolding him.

Thereafter, accused Billu, Narender, Vishal, Rakesh, Amar Singh,

Rajbir and Dharambir, along with 15-20 other persons including one Jatin, also joined them. All of them attacked upon the complainant, his brother Anil, mother Santosh, father Jaspal and uncle Brij Pal with brick bats and stones. Even, they had caused brick blow on Anil Kumar. Sanjeev and Billu caused injuries to the mother of the complainant and two cars parked in the house were also damaged by the accused persons.

Perusal of the record reveals that initially FIR was registered under Section 148, 149, 323, 324, 427, 506, 504 IPC. However, in pursuance of the receipt of X-Ray report of injured Brij Pal, injury No.1 was opined to be grievous in nature, on the basis of which offence under Section 326 IPC was made. Even re-examination of the injured was got conducted as per the orders of the learned Area Magistrate and Board of Doctors opined about the injury in question to be caused by friendly hand, cannot be ruled out.

The petitioners, Jatin and Vishal are in custody since 12.12.2019. Fellow accused, Rajbir Singh and Rakesh Kumar, have been granted the benefit of interim anticipatory bail, vide order dated 17.12.2019 passed by the High Court. Even benefit of anticipatory bail has been granted by the learned Additional Sessions Judge to Kumer Chand, to whom the injury, which has been found to grievous, has been attributed. Even if the petitioners have been named in the FIR, but no specific role or injury as such has been attributed to the petitioners.

Considering the same, I deem it appropriate to extend the benefit of regular bail to the petitioners.

Consequently petition is allowed and petitioners, Vishal and Jatin are hereby ordered to be released on bail to the satisfaction of CJM/Illaqa Magistrate, concerned

(ARCHANA PURI)  
JUDGE

January 14, 2020.  
Himanshu

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |