

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-3948-2020 (O&M)
Date of decision: 05.02.2020

Rohit

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Kartar Singh, Advocate
for the petitioner.

Mr. Naveen Sheoran, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.988 dated 10.11.2018 under Sections 333, 353, 186 IPC (Sections 189, 307, 506, 34 IPC were added later on), registered at Police Station City Ballabgarh, District Faridabad.

Learned counsel for the petitioner has relied upon the order dated 30.04.2019 passed in CRM-M-15742-2019, granting regular bail to co-accused Sunil and the same reads as under: -

“Learned counsel for the petitioner submits that as per the allegations in the FIR, co-accused Kuldeep gave a spade blow on the forehead of the SPO Sandeep Kumar, who had gone to spot to calm down the dispute between the two rival groups.

Learned counsel for the petitioner further submits that as

per the allegations, the injury invoking Section 307 IPC is not attributed to the petitioner and he is ready to deposit a demand draft of Rs. 30,000/- favouring the complainant/SPO Sandeep Kumar, without any prejudice to his right to defence.

Learned State counsel, on instructions from ASI Ram Pal, has not disputed the factual position and submitted that challan has already been presented and the petitioner is not involved in any other case.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the aforesaid facts, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned and on deposit of a demand draft of Rs. 30,000/- favouring SPO Sandeep Kumar, which shall be handed over by the trial Court to the official concerned.”

Learned State counsel has filed the custody certificate dated 04.02.2020 in the Court today and on instructions from SI Ramesh Kumar, has not disputed the fact that injury invoking Section 307 IPC is attributed to co-accused Kuldeep.

Without commenting anything on merits of the case, in terms of the aforesaid order dated 30.04.2019, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, concerned.

As undertaken by the petitioner, he will deposit a demand draft of Rs.30,000/- favouring SPO Sandeep Kumar at the time of furnishing the bail/surety bonds. The trial Court will hand over the same to the concerned official.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

05.02.2020
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No