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

CRM-M No. 8514 of 2020
Date of Decision: 04.09.2020

Mohit Sharma

-Petitioner

Vs

State of Haryana

-Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Saurabh Sharma, Advocate,
for the petitioner.

Mr. Rajat Gautam, D.A.G., Haryana.

Mr. Munish Mittal, Advocate,
for the complainant.

RAJ MOHAN SINGH, J. (ORAL)

The case has been taken up for hearing through
video-conferencing.

Petitioner seeks grant of regular bail under Section
439 Cr.P.C. in case bearing FIR No.486 dated 25.11.2018 under
Sections 148, 149, 323, 324, 326, 452, 307 IPC and under
Section 25 of Arms Act registered at Police Station Kurukshetra
University Kurukshetra, District Kurukshetra.

FIR was registered by the complainant namely Anil
Kumar with the allegations that on 24.11.2018 at about 11.30
PM, he along with his son Saurabh and nephew Deepak were

sleeping in outer room of the house. They heard some noise of breaking open of main gate and also some abuses. Saurabh went outside. Ravi @ Gorkha fired upon him with a country made pistol. The bullet went passed over his head. There were many persons with Ravi @ Gorkha. They assaulted him. Thereafter, Anoop hit the complainant with sword on his hand. The complainant tried to stop the blow with his left hand resulting in chopping off of his little finger. Nandu Pandit inflicted gandas blow on his hand which was avoided by him with his right hand and the blow landed on the little finger. Anup Barwa attacked three times with his sword on the back of the complainant, resulting in bleeding from the back. Cheema also hit the complainant on left thigh with danda. Petitioner gave a lathi blow on the left ankle of the complainant. Anoop again attacked twice with his sword on his head.

Evidently, the role attributed to the petitioner is of inflicting lathi blow on left ankle. The injury is simple in nature.

Co-accused namely Harsh @ Harshit, Surender @ Sinder, Rahul Malik and Gulshan have already been granted regular bail by this Court.

Learned counsel for the petitioner refers to CRM-M No.23490 of 2020, CRM-M No.17847 of 2020, CRM-M No.8038 of 2020 and CRM-M No.11151 of 2020 in the aforesaid context.

Petitioner is in custody since 05.12.2018.

Learned State counsel has not disputed the factual aspect of the case and stated that statements of PW3 to PW5 would be legally scrutinized in terms of their cross-examinations by the Court at an appropriate stage. The aforesaid witnesses have been declared hostile qua all the accused except Ravi @ Gorkha.

Out of total 36 prosecution witnesses, 09 prosecution witnesses have been examined so far.

Keeping in view the situation arising out of pandemic COVID-19 and without meaning anything on the merits of the case, petitioner is directed to be released on regular bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of trial Court/concerned Duty Magistrate.

Nothing expressed hereinabove would be construed to be an opinion on the merits of the case.

04.09.2020
Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE

1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No