

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

1. CRM-M No.13114 of 2020

Ravi @ Nimbu

... Petitioner

Versus

State of Haryana

... Respondent

2. CRM-M No.13147 of 2020

Pawan

... Petitioner

Versus

State of Haryana

... Respondent

Date of decision: 9th June, 2020

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. M.K. Garg, Advocate for the petitioners.

Mr. Baljinder S. Virk, Dy. Advocate General, Haryana
for the respondent/State.

FATEH DEEP SINGH, J. (ORAL)

The matter has been taken up through video-conferencing on account of outbreak of pandemic COVID-19.

The above detailed two regular bail applications under Section 439 Cr.P.C. by accused petitioners Ravi alias Nimbu and Pawan respectively, having been filed in the same very FIR bearing No.55 dated 20.09.2019 under Sections 379-B, 34 IPC pertaining to Police Station GRP Jind, District GRP Ambala, are being taken up together for disposal by way of this common order.

The present case was got registered on the statement of injured complainant Sonu. It is stated that on 19.09.2019 while the complainant was waiting for the train at the platform at Railway Station, Nirwana for going to Tohana, a young boy came and snatched his mobile phone. The complainant chased the boy and caught him up and after a scuffle the boy picked up a brick and hit the same on the head of the complainant. The said boy called two of his companions through mobile call and all of them assaulted the complainant with bricks and thereafter fled.

Learned counsel for the petitioner Mr. M.K. Garg, Advocate has inter alia contended that no specific role has been attributed to the petitioner in commission of the offence and there are only general allegations and there is nothing substantial to show the nature of injuries which are simple and that the trial is not likely to conclude in the near future.

Learned State counsel Mr. Baljinder S. Virk, Dy. Advocate General, Haryana though has not displaced the facts but has strongly opposed the bails claiming that bail application of similarly placed co-accused Pankaj non-applicant has been declined by this Court and that the accused have been instrumental in giving life threatening injuries by way of brick on the head of the complainant and has drawn attention of this Court to the medical record (Annexure P1 and P4) to highlight that there was a fracture of scalp bone.

Going through the submissions of the two sides, the petitioners are alleged to have been instrumental in snatching mobile phone of the complainant and when he resisted, had assaulted him giving grievous injuries on his head and out of which one of the injuries has been kept under observation for various tests and which shows commuted fracture of the scalp. It is by providence the injured has escaped from death. In view of the heinousness of the offence and seriousness of allegations, disentitles the petitioners to any relief. Thus, finding no merit, both the petitions stand dismissed.

(FATEH DEEP SINGH)
JUDGE

June 9, 2020

rps

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No