

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-14477-2020 (O&M)
Date of decision: 08.07.2020

Piyush Kumar and others

... Petitioners

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. G.C. Shahpuri, Advocate
for the petitioners.

Mr. Sukhdeep Parmar, AAG, Haryana.

Mr. Namit Khurana, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.187 dated 14.03.2020 under Sections 148, 149, 323, 506 IPC, Sections 279, 337 IPC (added later on) and Section 3 of SC&ST Act, registered at Police Station City Yamuna Nagar, District Yamuna Nagar.

Learned counsel for the petitioners submits that in an incident, which happened during the Holy celebrations, three persons from the side of petitioners have received gun shot injuries at the instance of complainant side and in that regard, FIR No.178 dated 10.03.2020 was registered under Sections

307, 148, 149, 323, 427, 506, 120-B IPC and Section 25 of Arms Act, at Police Station City Yamuna Nagar, District Yamuna Nagar against the complainant party. It is thus submitted that present FIR No.187 has been registered after a gap of 04 days and only offence, which is non-bailable is Section 3 of SC&ST Act and that too is not attributed to the petitioners and allegation of beating is attributed to co-accused Sumit and Sachin, who have not been arrested so far. It is further argued that there is no specific allegation in the FIR that the petitioners used any word towards caste of the complainant side. Learned counsel further submits that the petitioners are in custody since 17.05.2020 and are no more required for custodial interrogation.

Learned State counsel, on instructions from the Investigating Officer, has not disputed the fact that from the petitioners' side, FIR No.178 was registered on 10.03.2020 itself and three persons are reported to be injured by firearm injury used by complainant side. It is further submitted that both the sides are involved in similar cases.

Learned counsel for the complainant has submitted that the petitioners are involved in some other cases, however, it could not be disputed that the allegation of causing injury are attributed to co-accused Bobby, Sumit and Sachin.

Without commenting anything on merits of the case, considering the allegations against the petitioners and also in view of the fact that present cross-version was registered after a gap of 04 days of registration of FIR No.178 from the petitioners' side and the petitioners are no more required for custodial interrogation, this petition is allowed and the petitioners are directed to be released on regular bail subject to furnishing their bail/surety bonds to the

satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, concerned.

Petition is disposed of.

08.07.2020
vishnu

[ARVIND SINGH SANGWAN]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No