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

CRM-M No. 16944 of 2020
Date of Decision: 16.07.2020

Rohan

-Petitioner

Versus

State of Haryana

-Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. D.S. Matya, Advocate,
for the petitioner.

Mr. Amit Aggarwal, D.A.G., Haryana.

RAJ MOHAN SINGH, J. (Oral)

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

At the very outset, learned counsel for the petitioner submits that Section 307 IPC be added in the head note as well as in the prayer clause of the petition. Ordered accordingly.

Petitioner seeks grant of regular bail in case bearing FIR No.0569 dated 01.06.2020 registered under Sections 148, 149, 188, 285, 323, 427, 506 IPC (offence under Section 307 IPC added later on) at Police Station Ambala City, District Ambala.

As per allegations in the FIR, neighbour of the complainant namely Manish Handa @ Chhola and Kushank Sharma @ Red and White were having grudge against each other. Kushank

Sharma was known to the petitioner. On 31.05.2020, complainant was at home. At about 10 PM, Kushank Sharma along with Aman Thakur, Kirti Maan, Nitin @ Coach and Harshit Patha along with two other friends came to the house of Manish Handa. Except Kushank Sharma, all were armed with danda-binde etc. They used abusive language against Manish Handa by standing in front of his house and asking him to come out of the house. After some time, they went away while giving abuses. After their departure, Manish Handa also came out of the house. Friend of the complainant namely Lucky Singh came to the house of the complainant for some work. At about 10.45 PM, Kushank Sharma and others again came to the house of Manish Handa and started speaking in loud voice. On hearing the noise, the complainant along with his friend Lucky Singh inquired from Kushank Sharma as to the dispute. Kushank Sharma gave slaps on the face of Lucky Singh and the complainant also intervened. Kushank Sharma also started manhandling the complainant. On hearing noise, family members of the complainant came in the street and the assailants went away from the spot by using abusive language qua the complainant. At about 11.05 PM, they again came duly armed with danda-binde etc. Father of the complainant was bringing the motorcycle inside the house from the street. Complainant and his friend Lucky Singh were standing in the street. Kushank Sharma raised lalkara and fired from a fire arm which was carried by him in his hand. After firing, all of them fled away from the spot while giving threats to the complainant.

Learned counsel for the petitioner submits that infact, the petitioner has not been named in the FIR. He has been replaced with accused namely Harshit Patha. None has been injured in the present case. The complainant has executed an affidavit in the context of a compromise having been reached between the parties and the complainant has shown no objection in case the FIR is quashed by the High Court qua Kushank Sharma, Kirti Maan, Rohan and Aman Thakur.

Learned State counsel on the basis of allegations in the FIR could not point out any attribution qua the petitioner. Nothing has been recovered from the petitioner.

Petitioner is in custody since 02.06.2020.

In view of aforesaid facts and circumstances of the case and without meaning anything on the merits of the case, I deem it appropriate to enlarge the petitioner on regular bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of Chief Judicial Magistrate/concerned Duty Magistrate.

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

July 16, 2020
Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE

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