

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

CRM-M-19003-2020

Date of decision: **04.08.2020**

MAYANK AND ORS

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Rajesh Lamba, Advocate
for the petitioner.

Ms. Aditi Girdhar, AAG, Haryana
assisted by SI Raghubir Singh.

Mr. Sarfraj Hussain, Advocate
for the complainant.

*(the aforesaid presence is being recorded through video
conferencing since the proceedings are being conducted in Virtual
Court)*

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioners-Mayank, Sahil and Ajit @ Ajeet Singh have filed this petition seeking grant of regular bail in a case registered against them vide FIR No.285 dated 10.5.2020 under Sections 147, 149, 323, 341, 452, 354, 427, 506 IPC (Sections 307 & 379-B IPC deleted later on) at Police Station Mujessar, District Faridabad.
2. The FIR was registered at the instance of Nirmala wherein it has been alleged that on 10.5.2020 she came to know that her children had a fight with Satbir, Manoj, Neeraj, Ajeet and Bhagat regarding playing of a match. Thereafter, they called police, but no application was submitted to

them. After the police went away Manoj, Vinod, Ajeet, Bhagat, Pawan and Rohtash caught hold of her and snatched her neck-chain and also attempted to snatch her ear-rings and touched her inappropriately. It is further alleged that she in order to save herself went into the house of Beerpal where the accused followed her. It is alleged that accused went to the rooftop where Manoj fired a shot. It is further alleged that Vinod, Manoj, Ajeet, Bhagat, Pawan, Rohtash and another 5-10 boys threw bricks and stones in the house and damaged various articles and also caused injuries to the complainant and to Brahmwat, Sunny, Satpal and Aashish.

3. Learned counsel for the petitioners has submitted that they have falsely been implicated in the present case and that falsity would be evident from the fact that although offences under Sections 307 & 379-B IPC were also mentioned in the FIR but same have specifically been deleted.
4. Learned counsel has further submitted that in any case, since the petitioners had been behind bars since last about 3 months, they deserve to be released on bail.
5. Learned State counsel assisted by learned counsel for the complainant has submitted that since there are serious allegations against them as regards having trespassed into the house of, Beerpal and having caused injuries to the complainant and others, no case for grant of bail is made out.
6. Learned State counsel has informed that although Mayank and Sahil are not involved in any other case, but the petitioner-Ajit @ Ajeet Singh stands involved in a case for offences punishable under Sections 323, 353

and 186 IPC. Learned State counsel upon instructions from SI Raghbir Singh has also informed that 5 persons were injured in the present case but all the injuries are in the nature of simple injuries and that the petitioners have been behind bars since last 3 months.

7. I have considered rival submissions addressed before this Court.
8. Having regard to the facts and circumstances of the present case especially that it is a case of causing simple injuries and that offences under Sections 307 & 379-B IPC already stand deleted and that the petitioners have been behind bars since last 3 months, further detention of the petitioners will not serve any useful purpose as conclusion of trial is likely to take some time.
9. The petition, as such, is accepted and the petitioners are ordered to be released on regular bail on their furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

04.08.2020
Gaurav Sorot

(GURVINDER SINGH GILL)
JUDGE

Whether reasoned / speaking? **Yes / No**

Whether reportable? **Yes / No**