

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

CRM-M-20381-2020 (O&M)

Date of decision : 10.08.2020

Deen Dayal @ Mangal

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Sandeep Kotla, Advocate for the petitioner.

Mr. Chetan Sharma, AAG, Haryana.

ANIL KSHETARPAL, J. (ORAL)

The petitioner prays for regular bail pending trial in a criminal case arising from FIR No.234 dated 04.12.2019 registered under Sections 323/324/326/307/34 of the Indian Penal Code, at Police Station Bhattu Kalan, District Fatehabad.

In a nutshell, the case of the prosecution has been noticed by the learned Additional Sessions Judge, Fatehabad in para 2 of the impugned order. The relevant part of the para is extracted as under:-

“The complainant Bhim Sain alleged in his statement that his younger sister Teena was married with Vijender son of Chhabil Dass, resident of Bhattu Kalan for the last 8 years. On 02.12.2019, the son of maternal mother-in-law of his sister namely Vikas son of Krishan, resident of

Bhattu Kalan entered into a quarrel with his sister Teena and his sister Teena made a telephonic call to him in this regard. On 03.12.2019, he alongwith his brother Lilu @ Daya Ram, his father Ram Sawrup and his cousin Daya Ram son of Aad Ram, resident of Darewala reached in the street near the house of his sister at about 12:30 pm. In the meantime, Vikas son of Krishan, mother of Vikas namely Dhanni, mother-in-law of his sister namely Bimla wife of Chhabil Dass, Mangal Singh and Bhaga Ram sons of Aasa Ram, residents of Bhattu Kalan in criminal conspiracy with each other came there and Vikas tried to struck a knife blow in his stomach. He caught hold the knife with his right hand and Vikas gave a knife blow on his thigh. Mangal Singh gave a knife blow upon his brother Lilu which struck towards right side of his stomach. His father tried to intervene but Vikas gave a knife blow upon his father. His father raised his left hand and received injury on his left hand. The assailants laid them down in the street and Bimla, Dhanni and Bhaga Ram gave danda blows to them. On hearing commotion, his sister Teena came there and assailants also caused injuries to his sister Teena. The complainant also alleged that several persons on hearing commotion gathered in the street and all the assailants went away to the house of Vikas. They were admitted in General Hospital, Bhattu Kalan by his brother Daya Ram. On the basis of statement of complainant, case FIR was registered. The matter was investigated. The petitioner/accused Deen Dayal @ Mangal was arrested on 16.12.2019.”

Learned counsel for the petitioner contends that the petitioner is in custody since 17.12.2019. He further submits that on conclusion of

the investigation, the Police Report under Section 173 Cr.P.C. has been filed. However, the charges have not been framed.

On the other hand, learned counsel for the State has submitted that it is the petitioner who has been attributed injury which was declared dangerous to life.

The petitioner is in custody for approximately 9 months. As per the information of the learned counsel for the State, the petitioner is not involved in any other case. The conclusion of the trial is likely to take time.

Without commenting on the merits of the case and keeping in view the aforesaid facts, the petitioner is directed to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

Accordingly, the present petition is allowed.

10.08.2020

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No