

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

(Proceedings conducted through video Conference)

204

CRM-M-20482-2020 (O&M)

Date of decision: 11.08.2020

SURESH

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present : Mr. Chanderhas Yadav, Advocate for the petitioner.

REKHA MITTAL, J. (Oral)

The petitioner prays for grant of regular bail in FIR No.107 dated 26.05.2020 registered at Police Station Badli, District Jhajjar for offence punishable under Sections 148, 149, 304, 323, 427 and 452 IPC, pending trial.

Heard.

Notice of motion.

Mr. Manish Dadwal, AAG, Haryana accepts notice on behalf of State of Haryana.

Counsel for the petitioner would argue that the present FIR has been registered as a counter blast to FIR No.105 dated 25.05.2020 in which the present petitioner sustained serious injuries but the case has been registered under Section 323 IPC. It is further argued that as per postmortem report of Gindodi Devi, she died due to heart attack. It is further submitted that as per case of the prosecution itself, the petitioner was present on the spot but he tried to stop the fight. It is further argued that the petitioner is ready to face trial in strict adherence to terms and conditions, if any imposed by this Court.

Counsel representing State of Haryana has not disputed factual submissions but opposed the prayer for bail on the premise that offence under Section 304 IPC is serious in nature.

Concededly, Gindodi Devi died due to heart attack. She did not sustain any injury. The petitioner is stated to be playing the role of stopping the fight. He sustained injuries in an occurrence in respect whereof FIR

No.105 dated 25.05.2020 was registered in Police Station Badli, District Jhajjar.

Without meaning to express any opinion on merits of the case, petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of Chief Judicial Magistrate/Additional Sessions Judge (on duty), Jhajjar. However, he shall abide by the following conditions:-

- (i) He shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer; and
- (ii) He shall not leave India without previous permission of the Court.

Disposed of.

11.08.2020

ashok

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes / No
Yes / No