

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

202**Date of decision: 21.08.2020**

1.

CRM-M-20859-2020**Ram Kamal****....Petitioner****versus****State of Haryana****....Respondent**

2.

CRM-M-20867-2020**Vikramjit****....Petitioner****versus****State of Haryana****....Respondent**

3.

CRM-M-21168-2020**Ram Pal****....Petitioner****versus****State of Haryana****....Respondent****CORAM: Hon'ble Mr. Justice Girish Agnihotri****Present:** Mr. Saransh Sabharwal, Advocate, for the petitioner.

Mr. Rajiv Goel, DAG, Haryana.

Mr. Chauhan Satvinder Singh Sisodia, Advocate and
Ms. Savita Sisodia, Advocate
for the complainant.

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

**********GIRISH AGNIHOTRI, J. (Oral)**

This order shall dispose of CRM-M No.20859 of 2020, CRM-M No.20867 of 2020 and CRM-M No.21168 of 2020 as common issues are involved. For the sake of order, CRM-M No.20859 of 2020 is being treated as the lead case.

Petitioners-Ram Kamal in CRM-M No.20859 of 2020, Vikramjit in CRM-M No.20867 of 2020 and Ram Pal in CRM-M No.21168 of 2020, have filed the present petitions under Section 439 Cr. P.C. *inter alia* praying for grant of regular bail in case FIR No.148 dated 12.05.2020, under Sections 148, 149, 188, 269, 270, 307, 323, 440 and 506 IPC, (later on 307 IPC have been given up and Section 326 IPC has been added), registered at Police Station Chandimandir, District Panchkula.

Learned counsel for the petitioner by making reference to allegations in the FIR, submits that Ram Kamal is stated to have allegedly verbally abused the son of the complainant along with others. The alleged role attributed to Vikramjit is that he attacked Rahul with stick or sharp edged weapon. The role allegedly attributed to Ram Pal is that he along with many others together attacked with brick stone and rocks.

Learned counsel Mr. Chauhan Satvinder Singh Sisodia and Ms. Savita Sisodia, appearing for the complainant, have made a submissions to oppose the bail of the petitioners. They submit that injuries suffered by Jagbir, are serious in nature. They also submit that there are four persons who were injured, namely, Suresh Pal, Jagbir, Rahul and Digvijay.

Learned counsel then makes reference to order dated 11.08.2020 passed by this Court, whereby, it was recorded that counsel for the State had prayed for time to place on record the medico legal reports of persons who sustained injuries in the occurrence.

Learned State counsel, on instructions, submits that a short reply dated 19.08.2020, by way of an affidavit of Sh. Deepak Kumar, Inspector/SHO, Police Station Chandimandir, Panchkula, has been filed, in

which, the medico legal reports have been appended as Annexures R1 to R4. He further submits that challan was presented on 10.07.2020. There are total of 15 witnesses and the case is fixed for framing of charges on 01.09.2020.

Faced with the situation, learned counsel for the petitioners submits that it was the case of free fight. On asking of the Court, learned counsel submits that the reasons appear to be that there was an altercation about mobile phone status with Vikramjit and Ram Pal. He then submits that due to the present COVID-19 situation, detention of the petitioners in jail is dangerous to their lives, therefore, petitioners may be granted concession of regular bail.

In view of the peculiar facts as noticed above, considering the existing situation due to COVID-19 and the fact that trial is likely to take some time, this Court deems it appropriate to direct the release of the petitioners on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned, subject to their furnishing bail bonds/surety bonds. However, it is made clear that anything observed herein shall not be construed as an expression on merits of the case.

In addition to the bail bonds, the petitioners shall deposit Rs.30,000/- each (total Rs.90,000/-), out of this amount, Rs. 30,000/- be disbursed to Jagbir and Rs.20,000/- each to the remaining three injured.

The petitions stand disposed of accordingly.

(GIRISH AGNIHOTRI)
JUDGE

21.08.2020

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Whether speaking/ reasoned:	Yes/No
Whether Reportable:	Yes/No