

In virtual Court

CRM-M-22631-2020

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-22631-2020 (O&M)
Date of decision: 19.08.2020

Shamshad @ Samsu

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Inderjeet Singh, Advocate
for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

Mr. Jamshed Ahmad, Advocate
for victim Firoz Khan.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.53 dated 08.03.2020 under Sections 148, 149, 323, 324, 506 IPC and Sections 326 & 308 IPC (added later on), registered at Police Station Chhachhrauli, District Yamuna Nagar.

Learned counsel for the petitioner submits that as per allegations in the FIR, registered on the statement of one Salim that he along with two other persons is running a stone crusher, which is looked after by injured Firoz Khan. On 07.03.2020, Riyasal Ali, uncle of the complainant was present, when one Raju Rathi along with Samsu came and stopped them from using the stone

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crusher. On the next day, a panchayat was convened and the matter was patched up, however, in the Panchayat, Ali Ahmed caught hold of Liyakat Ali and they were separated. Thereafter, on the same day, on receiving a phone call from Firoz Khan that aforesaid persons are roaming around the stone crusher, the complainant went there. Ali Ahmed and petitioner Shamshad @ Samsu caused sword injuries on head of injured Firoz Khan. It is further submitted that the petitioner is in custody since 20.07.2020, the case is under investigation, however, during the investigation, the only injured victim Firoz Khan has sworn an affidavit on 19.06.2020 that the petitioner was not involved in causing injuries to him, though he was trying to resolve the dispute and his name has been wrong mentioned in the FIR.

Learned State counsel as well as learned counsel for the victim have not disputed this fact.

After hearing learned counsel for the parties, without commenting anything on merits of the case and considering the aforesaid submissions made by learned counsel for the parties, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, concerned.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

19.08.2020
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No