

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

I) CRM-M-25564-2020 (O&M)
Date of Decision:-9.9.2020

Naveen ... Petitioner

Versus

State of Haryana ... Respondent

II) CRM-M-25954-2020 (O&M)

Parveen and another ... Petitioners

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Anshuman Dalal, Advocate,
for the petitioner in CRM-M-25564-2020.

Mr. Preetinder S. Ahluwalia, Advocate,
for the petitioners in CRM-M-25954-2020.

Mr. Karan Sharma, AAG, Haryana.

Mr. Akshay Jain, Advocate for complainant.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. This order shall dispose of the aforesaid two bail petitions i.e. CRM-M-25564 of 2020 filed on behalf of petitioner Naveen seeking grant of anticipatory bail and CRM-M-25954 of 2020 filed on behalf of petitioners

Parveen and Narender seeking grant of regular bail in respect of a case registered vide FIR No.484 dated 23.7.2020 at Police Station Shivaji Colony, Rohtak, District Rohtak under Sections 323, 324, 506, 148 and 149 of Indian Penal Code, wherein offence under Section 307 IPC was added later on.

2. The FIR, in the present case, was lodged at the instance of Jai Parkash, wherein he stated that his eldest daughter was married to Parveen in the year 2005, who is serving Army. However, on 21.7.2020 his daughter Rimpu and his son-in-law Parveen had quarreled regarding which his daughter informed him telephonically. The complainant, his wife and his son Arun went over to his daughter's house to reason out with Parveen, where Parveen, his brother Sunil, Naveen, Narender and Parveen's mother Saraswati were present apart from 3-4 other persons, who all attacked to the complainant, his wife and son. It is alleged that Parveen gave 'fist' and 'kick' blows and that while Sunil was armed with '*sua*' (bodkin), Naveen was carrying a stick. It is alleged that complainant's son Arun was inflicted injuries with the help of a stick and '*sua*' and that Narender and Saraswati also gave kick and fist blows. On hearing noise of quarrel, the neighbours intervened and rescued them.
3. The learned counsel for the petitioners Parveen and Narender has submitted that even as per the FIR they are merely alleged to have given kicks and fist blows and were not armed with any weapon and that, in any case, they have now been behind bars since the last more than 1½ months.
4. The learned counsel for petitioner Naveen has submitted that he is alleged to be armed with a stick and although he is stated to have caused injuries but the FIR would not suggest as to which specific injury and on which part he had caused the same to the injured. It has also been submitted that it is infact

co-accused Sunil, who was armed with '*sua*' (bodkin), who had caused the puncture injuries to the injured. The learned counsel has further submitted that Section 307 IPC came to be added subsequently and that infact the petitioner-Naveen, before adding of Section 307 IPC, had been granted anticipatory bail earlier.

5. Opposing the petition, the learned State counsel has submitted that in view of serious nature of allegations where the co-accused has inflicted puncture wounds to injured Arun and the fact that the petitioners were also present alongwith said co-accused and had also inflicted some simple injuries, their complicity is clearly evident and no case, either for grant of anticipatory bail or for grant of regular bail, is made out.
6. I have considered rival submissions addressed before this Court.
7. Keeping in view the fact that it is the co-accused Sunil, who was armed with a '*sua*' (bodkin) and who had inflicted puncture wounds to injured and while bearing in mind that the petitioner Naveen was armed with a stick and the petitioners Parveen and Narender were empty handed and are attributed fist and kick blows only, both the petitions merits acceptance and are hereby accepted.
8. The petition i.e. CRM-M-25564 of 2020 filed on behalf of petitioner Naveen seeking grant of anticipatory bail is accepted and it is ordered that in the event of arrest, the petitioner Naveen be released on bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner Naveen shall join the investigation as and when called upon to do so and cooperate with the

Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

9. The petition i.e. CRM-M-25954 of 2020 filed on behalf of petitioners Parveen and Narender seeking grant of regular bail is accepted and the petitioners Parveen and Narender are ordered to be released on bail subject to their furnishing bail bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

9.9.2020

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No