

1.

CRM-M-27786-2020

Date of decision: 09.10.2020

Naresh Bhatia

.....Petitioner

versus

State of Haryana

.....Respondent

2.

CRM-M-27853-2020 (O&M)

Satish Bhatia

.....Petitioner

versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH**Present:** Mr. Kunal Dawar, Advocate
for the petitioner.Mr. B.S. Virk, DAG, Haryana
for the respondent-State.**FATEH DEEP SINGH, J. (ORAL)**

Due to outbreak of pandemic COVID-19, the instant case is being taken up for hearing through video conferencing.

The petitioners-Naresh Bhatia and Satish Bhatia are brothers and since, there are two anticipatory bail applications of both under Section 438 Cr.P.C., arising from the same FIR No.282 dated 16.08.2020 under Sections 147, 148, 149, 323, 324, 354-A,

452, 379-B and 506 of the Indian Penal Code (Sections 295-A and 325 of the IPC added later on, whereas, Section 379-B IPC deleted), registered at Police Station Kotwali, Faridabad, Haryana, are being taken up and disposed off together through this common order.

The allegations of the complainant-Sandeep Sharma are that on 15.08.2020 at around 08:30 PM, he heard noise outside his home and he saw his brother, Jitender Sharma and nephew, Dev Sharma were being beaten up by the petitioner-Naresh Bhatia @ Kallu and Goldy Bhatia, Abhay Bhatia and Anu Bhatia. The complainant intervened and it is alleged that the accused/non-applicant/Anu Bhatia inflicted injuries on Jitender Sharma by some sharp object on the nose, whereas, Naresh Bhatia is inflicted injuries on the neck and Goldy Bhatia used knife whereas, Abhay Bhatia used some sharp instrument and given blows to the complainant while Anu Bhatia gave injuries by means of iron rods.

As a consequence of this scuffle between the two neighbours, version and cross-version was got registered in which the petitioners are accused in one of the versions.

Heard both the sides and perused the records.

It is fairly conceded at the bar by the learned State counsel to the arguments of learned counsel for the petitioners that it is a case of version and cross-version where both the sides have received simple injuries. The learned State counsel admits before the Court that there are only simple injuries on the two sides which has

been given a tinge of severe criminality by adding offences on account of the complainant using political influence of the local MLA.

Be so as it may, in light of what has been canvassed before this Court and that co-accused, Anu Bhatia, Abhay Bhatia and six others similarly placed co-accused have been allowed anticipatory bail by this court, thus, on the principle of parity, this Court deems it a fit case to allow the present petition.

Accordingly, the petitioners are directed to appear before the investigating officer/Magistrate within a period of 15 days from the date of receipt of certified copy of this order and on their doing so, they shall be released on bail to the satisfaction of the arresting/investigating officer till submission of report under Section 173 Cr.P.C. (challan). The petitioners shall continue to join investigation and shall furnish an undertaking that they shall abide by the conditions specified under Section 438 (2) Cr.P.C. Thereafter, they will be permitted to furnish regular bail bonds to the satisfaction of the trial Court.

Both the petitions stand disposed off accordingly.

09.10.2020

Neha

**(FATEH DEEP SINGH)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No