

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

Sr. No.201

CRM-M-28393-2020

Date of Decision: September 22, 2020

ABDUL AJIT AND ANOTHER

...Petitioners

VERSUS

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present: Mr. Saleem Ahmed, Advocate,
for the petitioners.

ARCHANA PURI, J.

The matter has been taken up through video conferencing in the light of COVID-19 pandemic.

The present petition has been filed by the petitioners, namely, Abdul Ajit and Hamid, to seek regular bail in case bearing FIR No.450 dated 05.11.2019 under Sections 148, 149, 323, 324, 506 of IPC, Sections 325 and 326 IPC added later on, registered at Police Station Ferozepur Jhirka, District Nuh.

Notice of motion.

Ms. Harpreet Kaur, Assistant Advocate General, Haryana, accepts notice on behalf of the respondent-State.

Heard on the bail petition.

The aforesaid FIR was registered at the instance of Khalil Ahmed son of Noor Khan, whereby it has been alleged that the present petitioners along with others had inflicted injuries upon the complainant as well as his daughters-in-law, namely, Warisha and Asmina, who were working in the fields, while his relative Kasim was levelling the land.

Assailants, Aziz, Hamid, Jafar, Anish and Jahida came to the spot armed with farsas and lathies and all of them started giving lathi blows to Warisha and Asmina. Aziz gave a farsa blow on the left hand and face of the complainant, while Jafru gave him a lathi blow. The injured were taken to the hospital.

At this juncture, it is pertinent to mention that FIR at first instance was registered only under Sections 148, 149, 323, 324 and 506 IPC. However, in pursuance of receipt of the X-ray reports, addition of offence under Section 325 was made and after obtaining opinion of the concerned doctor, addition of offence under Section 326 IPC was also made. The injuries, which attracted Section 326 IPC, are stated to be fractures on the fingers of the left hand of two of the victims.

As stated by learned State Counsel, the petitioners are in custody since 18.08.2020. Challan has not yet been presented. As such, the consequential trial is not likely to be concluded in the near future.

Keeping in view the aforesaid circumstances, without prejudice to the right of the parties to be adjudicated on merits, the present petition is allowed and the petitioners Abdul Ajit and Hamid are ordered to be released on bail subject to their furnishing personal/surety bonds to the satisfaction of CJM/Duty Magistrate, concerned.

(ARCHANA PURI)
JUDGE

September 22, 2020

Himanshu

Whether speaking/reasoned

Yes

Whether reportable

Yes/No