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

CRM-M No. 28418 of 2020
Date of Decision: 24.09.2020

Jhujhar Singh

-Petitioner

Vs

State of Haryana

-Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Suvir Sidhu, Advocate,
for the petitioner.

Mr. Ashok Kumar Sehrawat, D.A.G., Haryana.

RAJ MOHAN SINGH, J. (ORAL)

The case has been taken up for hearing through video-conferencing.

Petitioner seeks grant of regular bail under Section 439 Cr.P.C. in case bearing FIR No.850 dated 06.10.2018 under Sections 148, 149, 323, 324, 307, 341, 506, 120-B IPC (Sections 325, 326 IPC added later on) registered at Police Station Assandh, District Karnal.

FIR was registered on the statement of Daljit Singh with the allegations that on 05.10.2018, his father (Gurbaj Singh) was returning home after completing his work from Assandh on his motorcycle. When he was just 3-4 killas away

from his house, then Harshdeep struck his tractor in the motorcycle of his father with an intention to kill him. Father of the complainant along with motorcycle fell in the paddy field. Thereafter, Harshdeep Singh, petitioner, Harbhajan Singh, Maninder Singh, Vikramjeet Singh, Narender Pal @ Mintu and 3-4 other persons appeared there duly armed with weapons. They started beating the father of the complainant. Complainant, his brother and uncle Heera Singh were attracted to the spot. Maninder Singh gave a gandasa blow on the head of the father of the complainant. Petitioner also gave a gandasa blow on the right side of his head. Petitioner also inflicted a gandasa blow from reverse side on the right arm of Shamsher Singh. Head injury on the person of father of the complainant was attributed to two persons i.e. petitioner and Harshdeep Singh. Injury on the head of father of the complainant ultimately fell under the ambit of Section 325 IPC. Petitioner has not inflicted any injury on the person of Heera Singh who is stated to be in vegetative state.

Harshdeep Singh, Hardeep Singh and Maninder Singh have been granted bail by this Court vide detailed order dated 27.08.2020 passed in CRM-M No.51649 of 2019 and CRM-M No.21852 of 2020.

Learned State counsel, however, opposed the prayer

on the ground that the petitioner was also member of unlawful assembly and also participated in causing injury on the father of the complainant and Shamsher Singh.

For the reasons recorded in the order dated 27.08.2020 in case of co-accused, I deem it appropriate to enlarge the petitioner on regular bail.

At this stage, without embarking upon anything on the merits of the case and owing to the situation arising out of pandemic COVID-19, I deem it appropriate to enlarge the petitioner on regular bail.

In view of above, the petition is allowed. Petitioner is directed to be released on regular bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of trial Court/concerned Duty Magistrate.

Nothing expressed hereinabove would be construed to be an opinion on the merits of the case.

24.09.2020
Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE

1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No