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

CRM-M No. 28997 of 2020
Date of Decision: 29.09.2020

Amarjit Singh

-Petitioner

Vs

State of Haryana

-Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Ivneet Singh Pabla, Advocate,
for the petitioner.

Mr. Rajat Gautam, 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.63 dated 12.03.2020 under Sections 148, 149, 323, 324, 326, 307, 341, 506 IPC and under Section 3(1) (r), 3(1) (s), 3(2) (v), 3(2) (va) of SC/ST Act registered at Police Station Ismailabad, District Kurukshetra.

Petitioner seeks regular bail on parity with co-accused namely Maninder Singh Sodhi and Manpreet, who have been granted bail by this Court vide order dated 11.09.2020 passed in CRM-M No.25740 of 2020 and CRM-M No.25759 of 2020 respectively.

Allegations are that the complainant was surrounded by the accused party. Ajay Goraya was armed with sword. Prince was armed with Gandasi. Petitioner was armed with binda. Maninder Singh Sodhi was armed with binda. Manpreet Singh was armed with danda. Vachitar Singh was armed with danda. Gurmukh Singh was armed with danda. Other unknown persons were also armed with dandas and bindas. Ajay Goraya raised a lalkara and hit the complainant with his sword on his neck. The blow landed on the left side. Prince hit the complainant with gandasi and the complainant in order to save himself took the blow on his right hand and received injuries on his arm. Prince again inflicted gandasi blow on the left arm, due to which he fell down. Thereafter, all the accused attacked the complainant. Friends of the complainant tried to save him, but they were also attacked. Several persons attracted to the spot and on hearing alarm and the assailants ran away.

Similarly situated co-accused have been granted bail and this fact has been admitted by learned State counsel on instructions from SI Satish Kumar.

Provisions of SC/ST Act would be debatable as there are no specific allegations and utterances qua the offence in question except to allege that the assailants abused the complainant in the name of caste.

Since the petitioner is author of simple injury, therefore, keeping in view the facts and circumstances 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 on parity with co-accused.

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.

29.09.2020
Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE

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