

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

**206**

**CRM-M-34307-2020(O&M)  
Date of decision :02.11.2020**

**ROHTASH @ LAUNDA**

**.....Petitioner**

**versus**

**STATE OF HARYANA**

**...Respondent**

**CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL**

Present: Mr. Jagmohan Ghuman, Advocate  
for the petitioner.

Mr. Chetan Sharma, AAG, Haryana

**ANIL KSHETARPAL, J. (ORAL)**

Hearing of the case was held through video conference on account of restricted functioning of the Courts.

The petitioner prays for grant of bail pending trial in a criminal case arising from FIR No.FIR No 78 dated 06.06.2020, registered under Section 324/ 506 IPC( Section 326 IPC added later on), at Police Station Sector 65, Gurugram.

As per the case of the prosecution, 4 persons including first informant were consuming liquor in a marriage hall when the petitioner walked in. The first informant told Rajinder, who is owner of the marriage hall, that he had instructed the petitioner not to enter in the marriage hall but still he has entered. It is alleged that the petitioner attacked the first informant with a knife causing injuries in his stomach.

The petitioner is in custody since 31.07.2020. On completion of the investigation, the challan has already been filed.

Learned counsel for the petitioner contends that the first informant and the petitioner are cousins.

On the other hand, Sh. Chetan Sharma, Assistant Advocate General, Haryana, has submitted that the petitioner is not a person of clean antecedents as two criminal cases are pending against him. Attention of this court has been drawn to page 13 of the bail application.

This court has considered the submissions.

FIR No.121 dated 23.07.2016 is under Section 323/34/452/506 IPC. Whereas FIR No.220 dated 23.07.2020 is under Section 25(1)(b)(a) of the Arms Act, 1959.

Keeping in view the fact that the petitioner is in detention for 3 months and on completion of the investigation, the challan has already been presented, further incarceration of the petitioner, at this stage, is not considered appropriate.

Without commenting on the merits of the case and keeping in view the fact that the petitioner is in custody since 31.07.2020 and the conclusion of the trial is likely to take time, the petitioner is directed to be released on regular bail subject to furnishing of adequate surety to the satisfaction of the trial Court/Duty Magistrate.

Accordingly the petition is allowed with the aforesaid directions.

**November 02, 2020**  
**nt**

**(ANIL KSHETARPAL)**  
**JUDGE**

Whether speaking/reasoned  
Whether reportable

: Yes/No  
: Yes/No