

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

Decided on: 11.02.2020

1. CRM-M No.33492 of 2019

Ramesh

....Petitioner

Versus

State of Haryana

....Respondent

2. CRM-M No.31541 of 2019

Rampal

....Petitioner

Versus

State of Haryana

....Respondent

3. CRM-M No.32347 of 2019

Anil @ Monti

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Pankaj Bali, Advocate
for the petitioners (in all the petitions)

Mr. Naveen Sheoran, DAG, Haryana.

Mr. G.S. Sandhu, Advocate
for the complainant (in all the petitions)

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in these petitions is for grant of regular bail to the
petitioners namely Ramesh, Rampal and Anil @ Monti in FIR No. 418
dated 28.06.2018 registered under Sections 148, 149, 323, 324, 325,

427, 452, 307, 506, 201 of the Indian Penal Code, 1860 (in short 'IPC')
at Police Station Gharaunda, District Karnal.

Counsel for the petitioners argued that as per the allegations in the FIR, registered at the instance of Jitender, the petitioner Ramesh son of Geja Singh has given *lathi* blow on the right shoulder and the other co-accused gave him kick blows. Thereafter, his uncle Sultan Singh rushed to rescue him then, the co-accused Balinder gave a gandasi blow on the left side of his head and he ran away towards the house of Charan Singh and while following him, Monti, Rakesh, Tejpal and Sonu caught hold of Sultan Singh and rest of them caused injuries to Sultan Singh. Thereafter, Jangu and Ramesh also caused injuries to his father Bhim Singh and Kala and Vikas caused injuries to Nasib Singh. It is further submitted that the injury invoking Section 307 IPC which was suffered by Sultan Singh, is attributed to Balinder, who is in custody. The accused Ramesh in custody since 15.08.2018; the accused Rampal is in custody since 30.11.2018 and the accused Anil @ Monti is in custody since 08.01.2019.

Counsel for the petitioners has further argued that charges have been framed before the trial Court only today and the petitioners are in long custody and the trial is yet to start as the case is now fixed for prosecution evidence for the first time.

Counsel for the State, on instructions from ASI Bahadur Singh, and assisted by counsel for the complainant has not disputed the factual position that Balinder is attributed the injury on the head of injured Sultan Singh.

Without commenting anything on merits of the case, considering the fact that some of the co-accused of the petitioners namely Phool Singh, Devender @ Sonu, Ravinder @ Sonu and Vikas have already been granted the concession of bail by this Court vide CRM-M No.19080 of 2019, CRM-M No.44649 of 2018, CRM-M No.26788 of 2019 and CRM-M No.27005 of 2019; the petitioners are in long custody is in custody; charges have been framed; the prosecution evidence is yet to start and conclusion of the trial will take some time, these petitions are allowed and the petitioners namely Ramesh, Rampal and Anil @ Monti are directed to be released on bail subject to their furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

However, it will be open for the prosecution to apply for cancellation of bail of the petitioners, in case they are found involved in any other case or misusing the concession of bail, in any manner.

(ARVIND SINGH SANGWAN)
JUDGE

11.02.2020
yakub

Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No