

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

**CRM-M No.32387 of 2019 (O&M)
Date of Decision:- 07.01.2020**

Tarif and others

...Petitioners

Versus

State of Haryana

... Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:- Mr. Mansur Ali, Advocate,
Mr. Imran A. Ali, Advocate and
Mr. Amarpreet Kooner, Advocate,
for the petitioners.

Mr. Anmol Malik, AAG, Haryana.

RAJ MOHAN SINGH, J.(Oral)

Petitioners seek grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.333 dated 03.09.2018, registered under Sections 148, 149, 316, 323, and 506 of IPC (sections 148 and 149 of IPC have been deleted later on) at Police Station Tauru, District Nuh.

Occurrence took place on 02.09.2018 at 2.30 PM when the accused party attacked on the complainant side, Tarif

gave a rod blow on the shoulder of the complainant and thereafter, Mubarik and Rasidan also hit with a stick. When the wife of complainant i.e. Tahira intervened then Fakruddin grabbed her and Saurabh started kicking in her stomach, resulting in loss of pregnancy of 4 months.

As per allegations in the FIR, the part attributed in terms of offence in terms of Section 316 IPC is attributed to Saurabh, whereas Sections 148 and 149 have already been deleted and other offences are bailable in nature.

Petitioners are in custody since 11.4.2019. Challan has already been presented. Trial may take some time in its culmination.

Learned State counsel on instructions from SI Banwari Lal states that Tahira has already been examined and now the case is fixed for consideration of the application under Section 319 Cr.P.C. filed by the complainant.

At this stage, without meaning anything on the merits of the case, it would be just and appropriate to release the petitioners on regular bail.

Let the petitioners be enlarged on bail, subject to their furnishing adequate bail bonds/surety bonds to the satisfaction of trial Court/Duty Magistrate.

Accordingly, this petition is allowed.

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

07.01.2020

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(Raj Mohan Singh)
Judge

Whether speaking /reasoned
Whether Reportable

Yes / No
Yes / No