

In virtual Court

CRM-M-39878-2020

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-39878-2020 (O&M)
Date of decision: 03.12.2020

Ravi

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Ms. Trishu Singh, Advocate
for the petitioner.

Mr. Deepak Kumar Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.163 dated 04.03.2020 under Sections 147, 148, 149, 323, 365, 379-B, 452, 506 IPC (Section 367 IPC was added and Sections 147, 148, 149, 379-B IPC were omitted later on), registered at Police Station City Bhiwani, District Bhiwani.

Learned counsel for the petitioner submits that during the investigation, Section 367 IPC was added and Sections 147, 148, 149, 379-B were deleted. It is further submitted that as per allegations in the FIR, registered at the instance of Sahil, Vikas @ Lal, petitioner Ravi, Nihal Singh and his wife

Akbam Nayak and Kali came to their house. The petitioner was carrying a sword, Kali was carrying iron pipe, Lal was having iron rod and attacked them and caused injuries and collectively caused injuries to the complainant and his father. Thereafter, the accused persons took the complainant from the house and thrown him in the street and ran away. The accused persons also took mobile phone of the complainant.

Learned counsel for the petitioner further submits that investigation is complete; challan stands presented and the petitioner was initially granted interim bail by the trial Court due to COVID-19 situation on 04.07.2020 and later on, he surrendered on 16.10.2020, after availing the interim bail. It is further submitted that during the period, when the petitioner was on interim bail, he has not misused the same and there is no allegation that he has tried to temper with the prosecution evidence. It is also submitted that the petitioner is not involved in any other case and he should be granted the concession of regular bail.

Learned State counsel has, however, submitted that recovery of danda (stick) was effected from the petitioner and as per the MLR, Sahil and his father suffered multiple injuries.

After hearing learned counsel for the parties, without commenting anything on merits of the case and finding that the petitioner at one point of time was granted interim bail and he surrendered in time; though in the FIR, it is stated that the petitioner was carrying sword but only a danda was recovered from him and also in view of the fact that he is no more required for custodial

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interrogation, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaqa Magistrate/Duty Magistrate, concerned.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

03.12.2020
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No