

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

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**CRM-M No.51956 of 2019 (O&M)
Date of Decision:- 23.01.2020**

Vishal

...Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:- Mr. Simranjeet Singh, Advocate
for the petitioner.

Mr. Surender Singh, AAG, Haryana.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.0235 dated 12.05.2019, registered under Sections 147, 148, 149, 307, 341, 427, 506 and 120-B of Indian Penal Code and Section 25 of Arms Act, 1959 at Police Station City, Fatehabad, District Fatehabad.

Reply by way of affidavit of Dharambir Singh, HPS Deputy Superintendent of Police, Head Quarter Fatehabad has been filed in Court. The same is taken on record.

As per allegations in the FIR, 15-20 persons duly armed with bricks and sticks came out in the street in front of

vehilce of the complainant party and they have encircled the vehicle. Vikram and Rajender threw bricks on the wind screen of the vehicle of the complainant. Pankaj @ Ganja fired a gun shot from his pistol towards the complainant which also hit the window of the vehicle.

Thereafter Rohit, Sunil @ Kaka, Vishal (petitioner), Poni, Balraj @ Goli, Sanjay and Machhi Balmik started damaging the fortuner car and Alto car with their sticks and 'dandas'. 8-10 other persons also started throwing bricks/stones. Complainant party fled away from the spot by saving their lives. The reason for the said occurrence was that in the year 2014 Pinki Rati Balmik was murdered in which the complainant and other boys from their community were arrested. Few days back, Prem Rati Balmik had threatened the complainant that he had prepared team for the complainant and they will finish him.

The co-accused Balraj @ Goli has been granted concession of regular bail in CRM-M No.37685 of 2019 on 25.09.2019. The role of the petitioner appears to be at part with the aforesaid co-accused.

Learned State counsel on instructions from ASI Dharpal could not spell out any distinction in the case of petitioner vis-a-vis the aforesaid Balraj @ Goli except to submit that the pettiioner is also involved in number of cases in which he is on bail.

Taking into consideration these facts and without making any observations on merits of the case, I deem it appropriate to release the petitioner on regular bail.

In view of above, the present petition is allowed and the petitioner is ordered to be enlarged on bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of Trial Court/Duty Magistrate, Fatehabad.

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

23.01.2020

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**(Raj Mohan Singh)
Judge**

Whether speaking /reasoned
Whether Reportable

Yes / No
Yes / No