

**(Proceedings conducted through video conferencing on account of
Covid-19 Pandemic)**

**CRM-17869-2020 in/and
CRM-M-52891-2019
Date of Decision: 31.07.2020**

RAVI KUMAR **VS.** **... PETITIONER**
STATE OF HARYANA **.. RESPONDENT**

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Harinder Pal Singh Ishar, Advocate
for the applicant-petitioner.

Mr. Manish Dadwal, AAG, Haryana.

VIVEK PURI, J.(ORAL)

CRM-17869-2020

For the reasons stated in the application, prayer for preponment
of date of hearing in the main case is allowed and the same is taken up on
Board today itself.

CRM-M-52891-2019

Ravi Kumar, the petitioner has prayed for grant of regular bail
in case FIR No. 166 dated 05.09.2019 registered under Sections 148, 149,
323, 452, 506, 354-B, 379-B, 427 IPC and Sections 25/54/59 of the Arms
Act at Police Station Bilaspur, District Yamuna Nagar.

Briefly, the FIR has been registered on the basis of statement of
Gulab Singh alleging that on 4.9.2019 at about 7.30 p.m., he along with his
wife Mamta, mother Mukhtiari Devi and son Chahat were present in the
house. Meanwhile, 5-6 motorcycles carrying 2/3 boys on each motorcycle
along with a car wherein 5 persons were sitting arrived at the spot. The boys

sitting in the car, namely, Ashu, Sunil and Sachin Sharma were known to the complainant. The assailants were carrying iron rods, sticks, *gandasi* and were raising *lalkara*. They broke down the door of the house. Ashu inflicted three iron rod blows on the head of the complainant. Sunil gave two iron rod blows and Sachin Sharma gave *gandasi* blow from reverse side on the head of the complainant. 15-20 unidentified boys on motorcycles also gave stick blows on the legs and arms of the complainant. Mamta and Mukhtiari Devi tried to intervene and the assailants also gave beatings to them. Chahat raised an alarm and *danda* blows were inflicted upon him. The assailants tore the clothes of Mamta and stole away the licensed revolver and other articles lying in the almirah. On hearing the alarm, people were attracted at the spot and the assailants slipped away.

It has been stated by learned counsel for the petitioner that his arrest was effected on 10.09.2019, investigation of the case is complete and challan has already been presented in the Court. Moreover the petitioner alongwith two other persons, namely, Sunil and Sachin, were named in the FIR but Sunil and Sachin have been found to be innocent during the course of investigation. Besides, the co-accused, namely Vikas, Vikas @ Golu, Sahil and Ashish Kumar @ Ashu have been granted regular bail, whereas, co-accused Sunil Kumar has been granted pre arrest bail by this Court. It has been further stated that the petitioner, though, not named in the FIR but has been nominated on the basis of disclosure statement of co-accused. It has further been argued that X-ray examination has been conducted but no fracture was found on the person of the injured.

Learned State counsel has not disputed the aforesaid factual aspects of the matter but has argued that another case bearing FIR No.52 of

2018 under Sections 148/149/323/452 and 506 IPC has been registered against the petitioner at Police Station Bilaspur, District Yamuna Nagar, though, he is on bail in that case.

It may be mentioned here that the co-accused have already been granted bail. The petitioner is in custody for the last more than 10 months. The conclusion of trial is likely to take sometime and as such, sufficient grounds are made out to extend the concession of bail to the petitioner. Accordingly, the present petition is allowed and petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of concerned Chief Judicial Magistrate/Illaqa Magistrate/Duty Magistrate/trial Court.

31.07.2020
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(VIVEK PURI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No