

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

203)

CRM-M-54276 of 2019

Date of Decision: 09.01.2020

Bhavuk alias Rajat

...Petitioner

Versus

The State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Sanpreet Sandhu, Advocate, for the petitioner.
Mr. Ashwani Kumar Saini, DAG, Haryana

Amol Rattan Singh, J. (Oral)

Though the petition filed by the petitioner earlier seeking the concession of bail in terms of the provisions of Section 439 of the Cr.P.C, was dismissed on 23.10.2019, learned counsel for the petitioner submits that, firstly, the petitioner has put in about 2 ½ months of custody thereafter and a similarly placed co-accused of the petitioner, i.e. Sumit Dahiya, has been admitted to bail by this court (coordinate Bench) vide an order passed yesterday, i.e. 08.01.2020.

On 23.10.2019, in the case of the petitioner, i.e. in CRM-M-44374 of 2019, the following order had been passed:-

“By this petition filed under the provisions of Section 439 of the Cr.P.C., the petitioner seeks the concession of 'regular bail'.

There being 20 injuries having been inflicted on the complainant and the other victims at the instance of the petitioner and his co-accused and he having undergone only undergone 2 months of the custody, I do not see any ground to entertain this petition at this stage.

Consequently, without making any comment on

the actual merits of the case, for or against the petitioner, this petition is dismissed.”

In the order passed in the case of Sumit Dahiya, i.e. CRM-M-54186 of 2019 on 08.01.2020, he has been admitted to bail, he having undergone 4 months and 22 days of the custody, with the report under Section 173 of the Cr.P.C having been submitted and charges having been framed, with naturally the trial to take some time to conclude.

The injuries attributed to the aforesaid Sumit Dahiya (as per the FIR) are shown to be on the arms and legs of the complainant, with an 'ice poke'.

The injuries attributed to the present petitioner (upon the complainant), are shown to be with a rod on his leg and shoulder.

The petitioner is also stated to have been in custody for 4 months and 23 days as is not denied by the learned State counsel, on instructions.

That being so, without making any comment on the actual merits of the case, for or against the petitioner, the present petition is allowed.

The petitioner would be enlarged on bail, upon his furnishing adequate bail and surety bonds to the satisfaction of the trial Court.

09.01.2020
vcgarg

(AMOL RATTAN SINGH)
JUDGE

Whether reasoned/speaking: Yes
Whether reportable: No