

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

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**CRM-M-2513-2021(O&M)
Decided on : 22.04.2021**

SANDEEP

... Petitioner(s)

Versus

STATE OF HARYANA

... Respondent(s)

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL
(Through Video Conferencing)**

PRESENT: Mr. Lalit Kumar, Advocate
for the petitioner.

Ms. Tanushree Gupta, DAG Haryana
assisted by ASI Dilbag Singh.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C., for grant of regular bail to the petitioner in case FIR No.125, dated 24.09.2020 under Sections 147, 148, 149 and 323 of IPC, 1860 (Sections 325 and 307 IPC added later on) registered at Police Station Alewa, District Jind.

In compliance of the last order dated 25.03.2021, learned State counsel has placed on record the Medico-Legal Report of the complainant party. The same is taken on record, subject to all just exceptions. Office to tag the same at appropriate place.

Learned counsel for the petitioner submits that it is a case of version and cross-version, in which both the parties received injuries at the hands of each other. He further submits that the petitioner received injuries on his head for which he was medico-legally examined by the doctor on the date of occurrence itself. He has further submitted that in fact both the parties were neighbours and it was the complainant party (in FIR No.126 which was registered by the petitioner against the other party) who had come to the house of the petitioner and started the quarrel, which eventually led to both the parties receiving injuries at the hands of each other. It has been submitted that

similarly situated co-accused have since been extended the concession of bail by this Court vide orders dated 11.12.2020, 21.12.2020 and 23.12.2020 (Annexure P-8).

Per contra, learned State counsel while opposing the prayer and submissions made by the learned counsel for the petitioner on instructions from ASI Dilbag Singh has submitted that no doubt it is a case of version and cross-version, but the injuries received by the petitioner at the hands of the opposite party was under Section 323 IPC and FIR lodged by the petitioner against the complainant party was later in time. She has further submitted that the co-accused, who were granted the concession of bail by this Court, are not similarly situated, as they had not been attributed any injury attracting the mischief of Section 307 IPC. Learned State counsel submits that it is the petitioner who inflicted injuries on the head of the complainant-Bhateri, which as per the opinion of the doctor was dangerous to life. It has further been submitted by the learned State counsel that challan stands presented and charges are likely to be framed on the next date of hearing.

Heard.

No ground is made out to extend the concession of bail to the petitioner. However, it is made clear that anything observed hereinabove shall not be construed as an expression of opinion on the merits of the case.

The petition stands dismissed.

(MANJARI NEHRU KAUL)
JUDGE

April 22, 2021

S.Sharma(syr)

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