

In virtual Court

CRM-M-5028-2021

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-5028-2021 (O&M)
Date of decision: 08.02.2021

Kuldeep

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Lajpat Rai Sharma, 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.377 dated 07.09.2020 under Sections 148, 149, 323, 324, 506 IPC and Sections 325, 326, 307 IPC (added later on), registered at Police Station Ganaur, District Sonapat.

Learned counsel for the petitioner submits that the petitioner was initially granted the concession of anticipatory bail, as the FIR was registered under Sections 148, 149, 323, 324, 506 IPC and when Sections 325, 326, 307 IPC were added later, on 05.11.2020 i.e. after a gap of about two months, the petitioner and other six accused, who were earlier granted regular bail, were also arrested and are in custody. It is further submitted that challan has already been presented and the injury invoking Section 307 IPC is not attributed to the

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petitioner, as allegations in the FIR are that co-accused Shyam Lal, who was having a gandasa in his hand, has given a blow, which hit on the head of victim Monu, whereas the petitioner has given the beatings without specifying any injury or attributing any weapon. It is also submitted that the petitioner is ready to deposit Rs.5,000/- with the Illaqa Magistrate towards the medical expenses of the victim, without prejudice to his right of defence.

Learned State counsel could not dispute the factual position.

Without commenting anything on merits of the case, considering the aforesaid submissions, 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.

This will, however, be subject to voluntary offer given by the petitioner that without prejudice to his right of defence, he will deposit an amount of Rs.5,000/- with the Illaqa Magistrate, which will be handed over to victim Monu towards his medical treatment.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

08.02.2021

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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No