

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

CRM-M-6717 of 2021

DATE OF DECISION :- April 19, 2021

Prince @ Bachi

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE H.S. MADAAN

Present:- Mr. Jasdev Singh Thind, Advocate for the petitioner.

Mr. Karan Garg, AAG, Haryana

The case has been taken up through Video Conferencing.

Custody certificate filed by the State counsel be taken on record.

This petition for regular bail has been filed by petitioner Prince @ Bachi son of Shri Mool Chand, aged 28 years, resident of Dabra Chowk, Govind Nagar, Hisar District Hisar, an accused in F.I.R. No. 644 dated 21.10.2020 registered with Police Station City Hisar for offences under Sections 323, 365, 379-B, 34 IPC.

Briefly stated the facts of the case as per prosecution story are that on 21.10.2020 at about 2.30 P.M. complainant Ramphal son of Mamanram @ Sadhu along with his elder brothers namely Manoj and Hariram and a relative Gautam Sharma were present in the premises of Mahendra Supreme Agency then Master Rajnish accompanied by 6-7 boys arrived there and assaulted brother of complainant namely Manoj. When

complainant and his other relatives present tried to intervene they were also attacked with dandas. The assailants had snatched vehicle of Gautam as well as mobile phone of Hariram and kidnapped Manoj.

On information being given to the police, formal F.I.R. was registered. Manoj was recovered. Accused Rajnish Puriya was arrested in this case. On being interrogated Rajnish Puriya named the present petitioner Prince @ Bachi as one of the assailants who had taken part in the incident. Petitioner was arrested in this case on 9.11.2020. He had filed an application for grant of regular bail before the Court of Sessions at Hisar, which was assigned to Additional Sessions Judge, Hisar, who vide order dated 5.2.2021 dismissed the same. Feeling aggrieved, he has approached this Court craving for grant of similar relief, which request is opposed by the State counsel.

I have heard learned counsel for the petitioner and learned State counsel besides going through the record.

The main accused in this case namely Rajnish Puriya has been granted regular bail by this Court vide order dated 27.1.2021 in CRM-M-42172-2020 (O&M) (Annexure P3). The petitioner is not named in the F.I.R and his name has cropped up during interrogation of main accused Rajnish Puri. He is behind bars for more than five months. Though as informed by the State counsel the challan has been filed against the accused but charge is yet to be framed. In that way, conclusion of trial is likely to take considerable time. The guilt of the accused shall be determined during the trial. As stated by the learned State counsel on instructions from ASI Krishan Kumar, the petitioner was involved in another criminal case but he has been acquitted therein. Though he is shown to be involved in one more

case bearing F.I.R. No. 472/2009 dated 12.8.2009 for offences under Sections 148, 149, 323, 506 IPC registered with Police Station Civil Lines, Hisar but he is reflected to be on bail in that case.

Keeping in view the totality of the circumstances, I find that the petition deserves to be accepted and it is hereby allowed. Petitioner Prince @ Bachi is ordered to be released on bail on his furnishing bail bond and surety bond to the satisfaction of the learned trial Court/CJM/Duty Magistrate, Hisar subject to the following conditions :-

- (i) he shall appear in the Court on each and every date of hearing.
- (ii) he shall not give any threat or intimidation to the prosecution witnesses.
- (iii) he shall not leave India without prior permission of the Court and shall surrender his Passport, if he has got one, otherwise to furnish affidavit in that regard.
- (iv) he shall not indulge in any criminal activity.
- (iv) he shall get his presence marked in the local police station on every Saturday of the week between 11.00 A.M. to 2.00 P.M. so that an eye can be kept on his movements and he is deterred from indulging in any criminal activity.

In case the petitioner violates any term and condition on which the bail has been granted to him, the prosecution would be entitled to apply for cancellation of bail.

(H.S. MADAAN)
JUDGE

April 19, 2021
p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No