

In virtual Court

CRM-M-7373-2021

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-7373-2021 (O&M)

Date of decision: 05.04.2021

Sanjay

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. M.S. Dalal, Advocate
for the petitioner.

Mr. Deepak Kumar Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

CRM-9045-2021

For the reasons stated in the application, same is allowed and
Annexures P-7 to P-9 are taken on record.

CRM stands disposed of.

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Prayer in this petition is for grant of regular bail in FIR No.194
dated 22.09.2020 under Sections 323, 324, 326, 307, 506, 34 IPC, registered at
Police Station Rajound, District Kaithal.

Learned counsel for the petitioner submits that as per allegations in

the FIR, complainant Sajjan and his brother Darshan had a dispute regarding money with Pritam. On 20.09.2020, the complainant had gone to house of Pritam to clear accounts of money and after sometime, his uncle Ajmer had gone near the house of Pritam in a car. There Pritam, Raju, Mewa and Sanjay were already present and after hatching a conspiracy, they attacked upon them. Pritam exerted to teach him a lesson for accounting the money and inflicted a gandasi blow on his left eye. Thereafter, Pritam and Raju also gave gandasi blow to his uncle Ajmer, which hit on his head. Mewa also gave a danda blow, which hit on the shoulder of his uncle.

Learned counsel for the petitioner further submits that the investigation is complete; challan stands presented and the petitioner is in custody since 02.11.2020 and as on today, a period of about 05 months has lapsed and he is not involved in any other case. It is also submitted that there are moot points to be decided during the trial regarding place of occurrence and the manner of causing injuries as well as different CT Scan reports. It is next submitted that in view of the fact that the injured have undergone medical treatment, without prejudice to his right of defence, the petitioner is ready to pay a sum of Rs.1.00 lac by way of two demand drafts favouring victims Sajjan and Ajmer towards their medical expenses.

Learned State counsel, on the basis of custody certificate dated 03.04.2021 filed in the Court today, has not disputed the factual position, however, submitted that the petitioner is attributed the injury, invoking Section 307 IPC.

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After hearing learned counsel for the parties, without commenting anything on merits of the case, considering the fact that the petitioner is in custody since 02.11.2020; he is not involved in any other case and has volunteered to pay a sum of Rs.1.00 lac to both the victims towards their medical expenses, 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 the condition that the petitioner will submit two demand drafts to the trial Court/Illaqa Magistrate at the time of furnishing bail/surety bonds; one for Rs.60,000/- favouring victim Sajjan and second for Rs.40,000/- favouring victim Ajmer, which will be further handed over to the victims.

[ARVIND SINGH SANGWAN]
JUDGE

05.04.2021

vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No