

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

CRM-M-7393-2021

DECIDED ON: 22nd FEBRUARY, 2021

SUNNY

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. P.S. Paul, Advocate
for the petitioner.

Mr. Deepak Bhardwaj, DAG, Haryana.

AVNEESH JHINGAN, J (ORAL)

This petition is for regular bail in FIR No. 332, dated 16th September, 2020, under Section 307, 323, 324, 341, 506 IPC 1860 read with Section 34 IPC registered at Police Station Arya Nagar, District Rohtak.

The FIR was at behest of Sagar. The incident was of 15th September, 2020. As per the allegations three boys came on a bullet motorcycle and stopped the motorcycle of Sagar. Ajay gave a Sua (Ice breaker) blow to complainant. Ravi was carrying a base ball bat and Sunny (petitioner) was driving the motorcycle.

Learned counsel for the petitioner submits that bail was granted by Principal Magistrate, Juvenile Justice Board-cum-Additional Civil Judge, Sr. Division, Rohtak vide order dated 16th October, 2020 to Ajay who was attributed injury declared dangerous to life. It is contended that there is no specific injury attributed to the petitioner and he is not involved in any other case.

submits that the petitioner is visible in a CCTV footage. He was driving the motorcycle and had given fist and leg blows to the complainant. He further submits that challan stands presented but charges are yet to be framed. He submits that Ajay was granted bail considering the fact that he was juvenile at the time of incident.

Albeit petitioner is said to be visible in CCTV footage and as per the prosecution case he has given fist and leg blows but no specific injury is attributed to the petitioner.

Considering the facts that petitioner is in custody since 19th September, 2020; challan stands presented; charges are yet to be framed; conclusion of trial will take time and recovery of motorcycle has already been made, petitioner is granted bail subject to his furnishing surety bonds to the satisfaction of learned trial Court/Duty Magistrate concerned.

The petition is allowed.

It is clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

22nd FEBRUARY, 2021

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**(AVNEESH JHINGAN)
JUDGE**

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>