

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

CRM-M-9601 of 2021

DECIDED ON: 4th MARCH, 2021

Ombir

.....PETITIONER

VERSUS

State of Haryana

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Ms. Sharmila Sharma, Advocate for petitioner.

Mr. Deepak Bhardwaj, DAG Haryana.

AVNEESH JHINGAN, J (ORAL)

The matter is taken up for hearing through video conference due to COVID-19 situation.

This is a petition for regular bail in case FIR No. 437, dated 2.11.2020, under Sections 307, 323, 452, 34 IPC and Sections 25, 27, 59 of Arms Act, 1959, registered at Police Station Rohtak Sadar, District Rohtak.

The FIR was at the behest of Pardeep. It was alleged that on 2.11.2020 his brother Manjeet was sitting and having liquor. At about 11:00 p.m. an information was received that Vikas, Ankit and Ombir were giving him beatings. The allegations are that Vikas gave fire arm injury whereas Ombir (petitioner) and Ankit had given danda blows.

Learned counsel for the petitioner submits that Pawan who was not named in the FIR has been granted bail by the Addl. Sessions Court vide order dated 19.2.2021. The contention is that there is no specific injury attributed to the petitioner. The fire arm injury is attributed to Vikas. The investigation is complete and no recovery is to be made.

Learned State counsel on instructions from ASI Paramjit opposes the prayer for grant of bail. The arguments are that the petitioner has been specifically named in the FIR and he had given danda blows.

From the MLR it is forth coming that five injuries were inflicted to Manjeet. Apart from two fire arm injuries, other injuries have been declared as simple. The petitioner is in custody since November, 2020. The challan has been presented but conclusion of trial is likely to take time. No useful purpose would be served by depriving the personal liberty of the petitioner. The petition is allowed and the petitioner is granted bail on furnishing surety bonds to the satisfaction of the Chief Judicial Magistrate/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.

4th MARCH, 2021

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**(AVNEESH JHINGAN)
JUDGE**

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