

206

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

CRM-M-12661-2021

Date of Decision: 25.03.2021

Ravi

Petitioner

Versus

State of Haryana

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Rajnikant Upadhyay, Advocate for the petitioner.

Mr. Deepak Bhardwaj, Deputy Advocate General,
Haryana assisted by ASI Sanjeev Kumar.

AVNEESH JHINGAN, J (Oral):

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

This is a petition for grant of regular bail in FIR No. 41, dated 25th January, 2020, under Sections 148, 149, 323 and 324 of IPC (Sections 506 and 307 of IPC added later on), registered at Police Station Sadar, Sonapat.

The FIR was at the behest of Manjeet. It was alleged that on 24th January, 2020, the complainant along with Pawan was sitting in the village school. He received a phone call from an unknown number, the caller asked him to come outside the school. On coming out, they saw 5/6 boys coming on two bikes who started throwing bricks upon them. One boy Jaideep gave knife blow on back of the complainant and also to Pawan. Rest of the boys gave fist and kick blows.

Mr. Rajnikant Upadhyay, learned counsel for the petitioner submits that the petitioner was not named in the FIR. He

was nominated on the basis of the disclosure statement of Jaideep. The only role attributed is of giving kick and fist blows. The petitioner is in custody since 24th September, 2020 and challan stands presented.

Mr. Deepak Bhardwaj, Deputy Advocate General, Haryana on instructions from ASI Sanjeev Kumar submits that charges have been framed under Section 307 of IPC.

The petitioner was named in the disclosure statement. As per allegations in the FIR, he had given fist and kick blows. The stab blows are attributed to Jaideep. No recovery is to be made and investigation is complete. The petitioner is not involved in any other case.

Considering the facts of the case, it would not be appropriate to deprive the petitioner of personal liberty.

The petition is allowed. The petitioner is granted bail subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

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

[AVNEESH JHINGAN]
JUDGE

25th March, 2021

pankaj baweja

1. Whether speaking/ reasoned	:	Yes
2. Whether reportable	:	Yes