

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(through video conferencing)**

CRM-M-27996-2021
Decided on : 23.07.2021

Chamandeep Singh & anr. Petitioners
Versus

State of Haryana Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Vivek Goyal, Advocate
for the petitioners.

Ms. Gaganpreet Kaur, AAG, Haryana.

Manjari Nehru Kaul, J.

Instant petition has been filed under Section 439 Cr. P.C. for grant of regular bail to the petitioners in case FIR No.91 dated 30.04.2021, registered under Sections 148, 149, 308, 323, 354 and 506 IPC, 1860 (Sections 324 and 326 IPC added later on) at Police Station Babain, District Kurukshetra.

Learned counsel for the petitioners submits that the petitioners have been in custody since 07.05.2021. Further contends that both the sides received injuries at the hands of each other in the occurrence in question, however, for the reasons best known to the investigating agency, they failed to take into account the version of the petitioners even though it was supported by MLRs which reflected that they had received injuries in the occurrence in question. Still further

submits that in fact, it was the complainant party who initiated the occurrence in question. It has also been contended that even otherwise, the petitioners were alleged to be armed with a danda and the injuries attributed to them were simple in nature.

Per contra, learned State counsel while opposing the prayer of learned counsel for the petitioners has apprised this Court that the petitioners were part of an unlawful assembly and were armed with dandas which they inflicted on the person of the complainant and her father. She has however conceded that the injuries so received by the complainant and her father were opined to be simple in nature.

Heard.

In view of the submissions made by learned counsel and the fact that the petitioners have been in custody since 07.05.2021, the trial is unlikely to conclude in the near future as only challan has been presented till date. Hence, the present petition is allowed and the petitioners are admitted to bail to the satisfaction of the trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

23.07.2021

monika

Whether speaking/reasoned:
Whether reportable :

Yes/No
Yes/No

