

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

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**CRM-M-31897-2021 (O&M)
Decided on : 16.08.2021**

JAGROOP SINGH

. . . Petitioner(s)

Versus

STATE OF HARYANA

. . . Respondent(s)

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL
(Through Video Conferencing)**

PRESENT: Ms. Puja Chopra, Advocate
for the petitioner(s).

Ms. Tanushree Gupta, DAG Haryana
assisted by ASI Mukesh.

MANJARI NEHRU KAUL, J. (Oral)

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

Learned counsel for the petitioner submits that it was not disputed that in the present case both the parties received injuries at the hands of each other. She further submits that the genesis of the occurrence has been suppressed by the prosecution inasmuch as the occurrence in fact took place outside the house of the petitioner, which clearly is indicative of the complainant party being an aggressor. Still further contends that the contents of the FIR and the statement recorded under Section 164 CrPC of complainant are at variance with each other which further lends credence to a concocted and twisted version having been brought forth with an oblique motive as it was a matter of record that the relations between the parties were far from cordial. Still further while inviting the attention of the Court to Annexure P-14(report

of NCCT Head dated 30.04.2021) submits that the injured Harpreet Singh who was allegedly inflicted the gandasi blow by the petitioner had himself stated that he had received the said injury on account of a fall from height which was yet again contrary to the allegations levelled against the petitioner and the MLR of the injured Harpreet Singh. A prayer has been made to extend the concession of bail to the petitioner as he has been in custody since 07.05.2021 and only challan stands presented coupled with the fact that similarly situated co-accused have already been enlarged on bail.

Per contra, learned State counsel while opposing the prayer and submissions of the learned counsel for the petitioner on instructions from ASI Mukesh has very fairly conceded that both the parties received grievous injuries at the hands of each other. She further submits that charges are likely to be framed in the near future.

Heard.

In view of the submissions made by learned counsel for the parties, I deem it a fit case to extend the concession of bail to the petitioner, as the trial is unlikely to conclude in the near future. The petition as such is allowed and the petitioner is admitted to bail to the satisfaction of trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed as an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

August 16, 2021

S.Sharma(syr)

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No