IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M No.32808 of 2021
Date of Decision:-18.08.2021

Vikas and another

..……Petitioners.

Versus

State of Haryana

.....Respondent.

(Heard through Video-Conferencing)

CORAM: ***HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA***

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Present:- Mr. Abhimanyu Singh, Advocate
for the petitioners.

MEENAKSHI I. MEHTA, J.(Oral)

Both the petitioners herein seek the relief of regular bail in the criminal case pertaining to the FIR bearing No.90 dated 08.04.2020 registered at Police Station Jui Kalan, District Bhiwani, under Sections 148, 149, 323, 452 and 506 IPC (wherein the offences under Sections 148, 149 and 323 IPC are stated to have been deleted but the offences under Sections 324, 325 and 326 read with Section 34 IPC are stated to have been added later-on) with the allegations that they, along-with their co-accused, caused injuries to complainant-injured named Jaideep.

Mr. Apoorv Garg, learned Deputy Advocate General, Haryana, has joined the proceedings in this case in pursuance of the notice of this petition having been sent to the respondent-State in advance. He has also forwarded the *Pairvi*-report/status-report to this Court through the *"WhatsApp Group for Video-Conferencing"* and the same is taken on the

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record.

I have heard learned counsel for the petitioners as well as learned State counsel in this petition and have also perused the file thoroughly.

Learned counsel for the petitioners contends that both the petitioners were arrested on 21.07.2021 and the role as attributed to them in the alleged occurrence is that they were armed with Dandas (sticks) and they caused injuries to the above-named injured and the injury attracting the offence under Section 326 IPC is attributed to their (petitioners') co-accused named Hemant who has already been extended the relief of regular bail by the Additional Sessions Judge, Bhiwani and nothing is to be recovered from them and in these circumstances, they deserve the relief as prayed for in this petition.

Learned State counsel does not dispute the afore-referred factual position but he argues that in view of the gravity of the offence committed by the petitioners, the instant petition be dismissed.

Keeping in view the facts that the petitioners are behind the bars since 21.07.2021 and as mentioned in the *Pairvi*-report/status-report, they are not required for further investigation and the main injury attracting the offence under Section 326 IPC in this case is attributed to their co-accused Hemant, who has already been granted the relief of regular bail by the Court below and without commenting or expressing any opinion on the merits of the case, both the petitioners named Vikas and Naveen are hereby ordered to be released on regular bail subject to their furnishing the

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requisite bail bonds and surety bonds to the satisfaction of learned Chief Judicial Magistrate/Illaqa Magistrate/Duty Magistrate concerned.

The instant petition stands allowed accordingly.

(MEENAKSHI I. MEHTA)
JUDGE

August 18, 2021
Yag Dutt

Whether speaking/reasoned: *Yes*

Whether Reportable: *No*

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