

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-35867-2020 (O&M)
Date of Decision:-9.3.2021

Arjun @ Monu Sharma

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Sanchit Punia, Advocate for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG, Haryana,
assisted by ASI Parminder Singh.

Mr. Chandra Sekhar. V, Advocate for the complainant.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.76 dated 12.10.2020 at Police Station Gandhi Nagar, District Yamuna Nagar under Sections 148, 149, 323, 427, 452 and 506 of Indian Penal Code.
2. The FIR in question was lodged at the instance of Manish Kumar, wherein it is alleged that on 11.10.2020 while he and other members of his family were celebrating birthday of his son Deepanshu at his home, then at about 8 p.m., 8-10 boys came there who were under influence of liquor and were carrying sticks and iron rods in their hands and attacked them and on account of

which, he sustained injury on his head and his mother sustained injuries on her leg. It is further alleged that the assailants also damaged their motorcycles and car which were lying parked. The complainant further stated that he recognised the assailants as Gagandeep @ Lucky, Kuldeep Cheema, Aman Randhawa, Vishal Jattin, Shivam Kapoor, Monu Sharma, Tantrik, Goldy and others.

3. The learned counsel for the petitioner has submitted the petitioner has falsely been implicated in the present case and that no specific role is attributed to him. Learned counsel has also pointed out that the complainant has already compromised the matter with 7 of the co-accused and that somehow effective deliberation for compromise could not be made with the petitioner. Learned counsel has submitted that, in any case, he is also open for a compromise. It has further been submitted that even if all the allegations are taken to be correct, still it is a case where simple injuries had been inflicted on the complainant and another person namely Laltesh.
4. Opposing the petition, learned State counsel assisted by learned counsel for the complainant, has submitted that since serious allegations have been levelled in the FIR and it is a case where the injuries had been caused after entering into house of the complainant, the offence assumes all the more gravity and, as such, the petitioner does not deserve the concession of bail. Learned State counsel has informed that the petitioner is involved in one more case.
5. I have considered rival submissions addressed before this Court.
6. Having regard to the fact that it is a case of allegations pertaining to inflicting two injuries, which have been found to be simple injuries and while

also noticing that the matter has already been amicably resolved with as many as 7 of the co-accused, custodial interrogation of the petitioner is not warranted. The petition, as such, is accepted. It is ordered that the petitioner, in the event of arrest, be released on bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438(2) Cr.P.C.

9.3.2021

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No