

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

**CRM-M-43050-2021
Date of decision: 25.10.2021**

ISMAIL

...Petitioner

VERSUS

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Vineet Chaudhary, Advocate
for the petitioner.

Mr. Anant Kataria, DAG, Haryana.

(Through Video Conferencing)

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 0145 dated 04.07.2021, registered under Sections 147, 149, 224, 225, 332, 353, 186, 307 and 379-B of the IPC, 1860 and Section 25 of the Arms Act, 1959 at Police Station Dhauj, District Faridabad, Haryana.

Learned counsel for the petitioner submits that the FIR was registered with the allegations that when the police party went to arrest accused namely Jabbar, who was involved in FIR No.0191 dated 07.06.2021 under Section 379-A/34 of the IPC at Police Station Kotwali, on seeing the police party, he went inside the house and raised the voice that police is going to arrest him and thereafter, the family members of accused Jabbar came there carrying *lathies* and *dandas* with them and attached the police party for getting accused Jabbar released from the police custody.

Learned counsel for the petitioner further submits that the

petitioner was initially not named in the FIR, however, later on he was nominated as an accused on the disclosure of the co-accused who were arrested.

Learned counsel for the petitioner further submits that co-accused of the petitioner namely Akhtar and Arman, Yusuf and Tahir have already been released on bail by the Court of Sessions.

Learned counsel for the petitioner further submits that the allegations against the petitioner are identical in nature.

Learned State counsel on instructions from the Investigating Officer submits that the allegations against the petitioner are that he has given fist and leg blows to the complainant. As per the custody certificate filed by learned State counsel, the petitioner is in judicial custody for the last about 03 months and 05 days.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the fact that some of the co-accused have already been released on bail by the Court of Sessions; the *challan* stands presented and the conclusion of trial is likely to take some time, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaq Magistrate, concerned.

(ARVIND SINGH SANGWAN)
JUDGE

25.10.2021
Chetan Thakur

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No