

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

CRM-M-49919-2021

Date of Decision: 3rd December, 2021

Gurjeet alias Sonu @ Gurjit Kumar

... Petitioner

Versus

State of Haryana

... Respondent

CORAM : HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present : Mr. Parveen Sharma, Advocate for the petitioner.

Ms. Geeta Sharma, DAG, Haryana
for the respondent-State.

AVNEESH JHINGAN , J.(Oral)

1. Due to COVID-19 situation, the Court is convened through video conference.

2. This petition under Section 439 Cr.P.C. is filed seeking regular bail in FIR No. 528, dated 8th August, 2021, under Sections 148, 149, 186, 323, 332, 353, 379 B, 427 and 506 IPC, 1860 (and subsequently added Section 212 IPC, 1860), registered at Police Station Assandh, District Karnal.

3. The FIR was registered at the instance of Rajender Singh. On 8th August, 2021, police party received the information that there was an altercation between two communities. The complainant along with his colleague reached at the spot and saw that both the parties were armed with lathis and pelting stones on each other. FIR No. 530 was registered at Police Station Assandh. The present FIR was registered alleging that

petitioner along with other co-accused attacked the police party. The mobile of the complainant and amount of Rs. 4500/- were snatched. In the incident, the uniform of the police official was torn and rear glass of the private car of the complainant was broken.

4. Learned counsel for the petitioner submits that alleged snatched mobile phone was not recovered from the petitioner, investigation is complete and co-accused was granted bail. Petitioner is in custody since 9th August, 2021. He was granted bail in FIR No. 530.

5. Learned State counsel opposes the prayer for grant of regular bail and submits that police party was attacked by the petitioners. It is a case of disruption in the official duty of the police.

6. The investigation is complete, co-accused was granted bail, as per the contentions raised, no recovery was made from the petitioner and no useful purpose would be served by keeping the petitioner behind the bars as conclusion of trial is likely to take time, petitioner is granted bail subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

7. The petition is allowed.

8. It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

(AVNEESH JHINGAN)
JUDGE

3rd December, 2021

Parveen Sharma

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No