

**211-2 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-52501-2021

Date of Decision: 21st December, 2021

Surender and others

... Petitioners

Versus

State of Haryana

... Respondent

CORAM : HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present : Mr. G.S. Sandhu, Advocate for the petitioners.
Ms. Geeta Sharma, DAG, Haryana for the respondent-State.

AVNEESH JHINGAN , J.(Oral)

1. 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 under Section 120-B, 212 and 341 (added later on), registered at Police Station Assandh, District Karnal.

2. 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. 529 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.

3. Learned counsel for the petitioners submits that no specific overt act is attributed to the petitioners, investigation is complete and co-

accused were granted bail. He further submits that there is no allegation in the FIR that either of the petitioners had caused any specific injury or snatched mobile as well as cash from the complainant. Petitioner is in custody since 9th August, 2021. He was granted bail in FIR No. 529.

4. 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.

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

6. The petition is allowed.

7. 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

21st December, 2021
Parveen Sharma

Whether reasoned/speaking
Whether reportable

Yes/No
Yes/No