

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

CRM-M-2938 of 2022

DECIDED ON: 17th March, 2022

Yogesh @ Dandu

.....PETITIONER

VERSUS

State of Haryana

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Parminder Singh, Advocate for petitioner.

Ms. Geeta Sharma, DAG Haryana.

AVNEESH JHINGAN, J (ORAL)

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

This petition under Section 439 Cr.P.C. is filed seeking regular bail in case of FIR No.116 dated 24.4.2021, under Sections 148, 149, 323, 324, 342, 379-B, 506 IPC, registered at Police Station Ram Nagar, District Karnal.

As per the allegations of complainant Surjit Singh, on 22nd April, 2021 an altercation took place between the complainant and Robil. Due to grudge of previous incident, on 23rd April, 2021, complainant was attacked by the accused who were armed with Dandas, Gandasi and Sword. Complainant entered the house of Sonu, all the accused followed him, Robin raised lalkara, Rahul Chatri gave a knife blow on the upper portion of the leg, Kamal @ Landa gave a Gandasi blow on his head. It is alleged that Bharat Sukhija, Yogesh @ Daddu (petitioner) and Rahul Puri armed with Gandasi, sword attacked on the complainant.

Learned counsel for the petitioner submits that petitioner is in custody since 17.8.2021, investigation is complete, no weapon was recovered from the petitioner only motor cycle was recovered from the petitioner and no specific injury is attributed to him. He relies upon the fact that co-accused was granted bail by this Court.

Learned State counsel opposes the prayer for grant of regular bail. She submits that petitioner was specifically named in the FIR and he actively participated in the incident.

The recovery from the petitioner is of a motorcycle, no specific injury is attributed to the petitioner, no weapon was recovered from him, investigation is complete, conclusion of the trial is likely to take time and the co-accused were granted bail, the petitioner is granted bail subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petition is allowed.

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

17th March, 2022

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**(AVNEESH JHINGAN)
JUDGE**

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>No</i>