

218 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-7735-2022

Date of decision: 7th March, 2022

Sajan

Petitioner

Versus

State of Haryana

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Yashwant Singh Rathore, Advocate for the petitioner.
Ms. Geeta Sharma, DAG, Haryana.
Mr. Wazir Singh, Advocate for the complainant.

AVNEESH JHINGAN, J (Oral):

1. Due to COVID-19 situation, the Court is convened through video conference.
2. The petitioner is before this court under Section 438 Cr.P.C. seeking anticipatory bail in FIR No. 899 dated 23rd December, 2021, under Sections 307, 323, 341 and 506 read with Section 34 IPC, registered at Police Station Assandh, Karnal.
3. The FIR was at the instance of Sanjay, alleging that on 21st December, 2021, while going on motor cycle bearing registration No. HR-40-F-8939, he was attacked by Sandeep, Sunil @ Sina, Sonu and his relative. The accused inflicted injuries on the arms and legs of the complainant, both the arms and legs were fractured. The role attributed to the petitioner is that he was one of the person who attacked the complainant.
4. Learned counsel for the petitioner submits that there is delay of

two days in lodging the FIR, no specific injury is attributed to the petitioner. He further submits that petitioner is in custody since 7th January, 2022, he was named in a disclosure statement, he has no criminal antecedents, no further recovery is to be made from him and co-accused was granted interim anticipatory bail by this Court.

5. Learned State counsel opposes the prayer for grant of regular bail and submits that rod was recovered from the petitioner and he identified the place of incident.

6. Though the complainant is not impleaded as party, Mr. Wazir Singh, Advocate appears for the complainant and submits that condition of the complainant is not good, both legs were broken and with common intention accused were present at the spot.

7. The name of the petitioner surfaced in a disclosure statement. No specific injuries are attributed to the petitioner and no further recovery is to be made from him. Petitioner has no criminal antecedents. Conclusion of investigation and trial is likely to take time and co-accused was granted interim anticipatory bail by this Court, petitioner is granted bail subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

8. The petition is allowed.

9. Needless to say that State would be at liberty to avail remedies in case of misuse of bail granted to the petitioner.

[AVNEESH JHINGAN]
JUDGE

7th March, 2022

Parveen Sharma

1. Whether speaking/ reasoned
2. Whether reportable

: Yes /No
: Yes /No