

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-8280-2022 (O&M)
Date of decision: 25.04.2022

Ankush

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Pushpinder Yadav, Advocate
for the petitioner.

Mr. Himmat Singh, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.348 dated 04.07.2021 under Sections 147, 148, 149, 323, 325, 326, 452, 506, 34 IPC and Section 25/54/59 of Arms Act, registered at Police Station Azad Nagar, District Hisar.

Learned counsel for the petitioner submits that as per allegations in the FIR, registered on the statement of Monaram @ Munalal, he is working on a shop of one Ganpat. On the date of incident, he was sitting in the shop and Ganpat had gone to his house, adjoining to the shop and Krishan was working inside the shop. In the meantime, 10-15 boys, armed with lathies, danda and swords, came on 4-5 motorcycles. One of them was Sunil @ Modiya and he attacked the complainant with sword, due to which his little finger was cut.

Deepu gave stick blow on his head and rest of them also gave injuries. When he raised voice, Krishan and Ganpat come forward to save him.

Learned counsel further submits that the petitioner was not named in the FIR and there is no specific allegation against him of causing injury to the complainant. It is also submitted that as per FIR and MLR of the victim, the injuries suffered by the victim are attributed to co-accused Sunil @ Modiya and Deepu. It is lastly submitted that the petitioner is in custody for the last 07 months and 16 days; challan stands presented and it will take some time in conclusion of the trial.

Learned State counsel, on the basis of custody certificate, filed in the Court today, has not disputed the factual position, however, it is submitted that the petitioner is involved in some other cases.

In reply, learned counsel for the petitioner has referred to certain orders, vide which in some of the cases, the petitioner has been granted the concession of regular bail.

After hearing learned counsel for the parties, without commenting anything on merits of the case and considering the aforesaid facts and circumstances of the case, this petition is allowed and the petitioner is directed to be released on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, concerned.

[ARVIND SINGH SANGWAN]
JUDGE

25.04.2022
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No