

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

CRM-M-12399 of 2022 (O&M)

DECIDED ON:10th October, 2022

Masoom alias Babbal

.....PETITIONER

VERSUS

State of Haryana

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. M.D. Khan, Advocate for petitioner.

Ms. Geeta Sharma, DAG Haryana.

AVNEESH JHINGAN, J (ORAL)

This petition is filed seeking regular bail in case of FIR No.208 dated 17.12.2020, under Sections, 148, 149, 307 (later added under Section 323, 325 IPC), registered at Police Station Partap Nagar, District Yamuna Nagar.

The relevant facts are that on 17.12.2020, a ruqa was received in the police station from Sharma Hospital, Jagadhri regarding admission of Parveen Kumar. Manjit Kumar (clerk) of Kamlesh Stone Crusher alleged that on 17.12.2020, dumpers and trollas were being weighed at Royalty Weighing Bridge. Mashooq alias Monu, Dilshad alias Bhura, Masoom alias Babbal (petitioner), Meharban alias Ninna and Jishan came in a Brezza Car bearing registration No.HR27-D-0224, they insisted that their vehicle should be weighed out of turn. Dilshad and Masoom came out of car and started using abusive language. Dilshad and petitioner gave beatings to the complainant party and a lalkara was raised. Meharban and Jishan were sitting in the car, Mashooq alias Monu started the car and struck Anuj Kumar and Parveen

Kumar. Parveen Kumar fell down and both the tyres of the car ran over him. Thereafter, the car was reversed and tyres of the car again crossed over the stomach of Parveen.

Learned counsel for the petitioner submits that the petitioner is in custody since 18.12.2020. No specific injury is attributed to petitioner for which Section 307 IPC was invoked. He further submits that the injury inflicted has not been declared dangerous to life. Contention is that the complainant and injured have been examined.

Reply filed is taken on record.

Learned State counsel opposes the prayer and submits that the petitioner raised lalkara and thereafter the co-accused hit the complainant party with the car. She on instructions submits that the petitioner is not involved in any other case.

Without commenting upon the merits of the case, considering the nature of allegations against the petitioner, though complainant has been examined conclusion of trial is likely to take time and petitioner has no criminal antecedents, bail is granted to the petitioner on furnishing surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petition is allowed.

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

Since the main case has been decided, the pending application, if any is rendered infructuous.

(AVNEESH JHINGAN)
JUDGE

10th October, 2022

reema

Whether speaking/reasoned Yes

Whether reportable No