

211 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-14004-2022
Date of Decision:06.05.2022

Rohit

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

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

Mr. Parveen Kumar Aggarwal, DAG, Haryana.

JASJIT SINGH BEDI, J.(Oral)

The prayer in this petition is for the grant of regular bail under Section 439 Cr.PC in case FIR No.80 dated 18.02.2022 registered under Sections 149, 307, 324, 326, 341 and 506 IPC and Section 25 Arms Act at Police Station Model Town, District Rewari (P-1).

2. The brief facts of the case are that the complainant-Parveen son Hansraj stated that on 18.02.2022, he along with his friend Lalit son of Arjun Singh on his motorcycle bearing registration No.HR81-2465 were going for the purposes of coaching, when in front of the Mind Power Coaching Centre Manish (Manni), Gaurav and 6-7 other boys were there. Manish attacked him with a knife hitting him on his left side of the back and Gaurav attacked his friend Lalit with a knife and it hit on the sides of his ribs. Based on the said statement, the aforementioned FIR came to be registered.

3. The learned counsel for the petitioner submits that he has not named in the FIR and nor has any specific role or injury been attributed to him. He contends that the injuries attracting Section 326 and 307 IPC have been attributed to his co-accused-Gaurav, whereas, one Manish @ Manni, who has been attributed a knife injury has been granted the concession of anticipatory bail by this Court vide order dated 04.04.2021 in CRM-M-10505-2022 (P-2). He also submits that Sunil Kumar, the co-accused of the present petitioner has been granted the concession of interim anticipatory bail by this Court vide order dated 21.04.2022 in CRM-M-16094-2022. He thus, contends that his case is on a better footing inasmuch as no injury whatsoever has been attributed to him.

4. On the other hand, the learned State counsel submits that a number of persons named and unnamed attacked the complainant and his friend and the accused have committed a very serious offence for which he does not deserve the concession of regular bail. He however, admits that two co-accused of the petitioner have been granted the concession of anticipatory bail by this Court and the case of the petitioner is on a better footing.

5. I have heard counsel for both the sides at length.

6. Admittedly, Gaurav a co-accused of the petitioner is said to be the main accused having been attributed Sections 326 and 307 IPC. Manish @ Manni another accused who has also been attributed a knife injury and has been granted the concession of anticipatory bail. The petitioner has been in custody since 19.03.2022 and the challan also

stands file and as such the further incarceration of the petitioner is not required.

7. In view of above, without advertng to the merits of the case, I deem it appropriate to enlarge the petitioner on regular bail. Accordingly, the present petition is allowed. The petitioner is ordered to be released on bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court/concerned Duty Magistrate.

8. Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

(JASJIT SINGH BEDI)
JUDGE

06.05.2022
JITESH

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No