

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

222

CRM-M-16852 of 2022 (O&M)
DECIDED ON: 2nd August, 2022

Vishal

.....PETITIONER

VERSUS

State of Haryana

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Naveen Bawa, Advocate for petitioner.
Ms. Geeta Sharma, DAG Haryana.

AVNEESH JHINGAN, J (ORAL)

This is a petition seeking regular bail in case of FIR No. 69 dated 3.12.2021, under Sections 323, 324, 506 (307 added lateron), 34 IPC, 1860, 25 of Arms Act, 1959, registered at Police Station GRP, Sonipat, District GRP Ambala Cantt.

As per the case set up, the police party received an information that Harsh was admitted in Civil Hospital, Sonipat due to injuries received in a quarrel. Statement of Harsh was recorded. He stated that on 30.11.2021, when he along with Amit and Yash Antil were sitting on a bench at Platform No.3 of Sonipat Railway Station, there were verbal arguments with two unknown boys. He was informed by his friend-Amit that he knew two unknown boys. On 1.12.2021 he received a phone call from Amit @ Meeta that those two boys with whom quarrel had taken place are calling him under the Bridge, Near Railway Park. He along with his friends Amit and Yash, reached the main gate of Railway Station, where two boys were present with their accomplices. One of them was having a *knife* and other was armed with *danda*. Accused caught hold of him and gave a *knife* blow on the left side of the stomach. The role attributed to the petitioner is that he was armed with *danda and* inflicted injury with the *danda*. On 14.12.2021, the injured gave a supplementary statement naming the accused including the

Learned counsel for the petitioner submits that the petitioner was not named in the FIR. He was named in supplementary statement which was recorded after more than twelve days. No specific injury is attributed to the petitioner. The contention is that the injury for which Section 307 IPC has been invoked is attributed to Vikas. Petitioner is not involved in any other case.

Learned State counsel opposes the prayer and submits that the petitioner was present at the spot and actively participated in the occurrence.

Without commenting upon the merits of the case, considering that the petitioner is in custody since 15.12.2021, investigation is complete, no specific injury is attributed to him, he was allegedly armed with *danda* and *knife* blow is attributed to co-accused-Vikas, he 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.

2nd August, 2022

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(AVNEESH JHINGAN)
JUDGE

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