

CRM-M-30764-2022

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

CRM-M-30764-2022 (O & M)

Date of decision: 22.08.2022

Sandeep and others

...Petitioners

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Rajesh Lamba, Advocate,
for the petitioners.

Mr. Pawan Kumar Jhanda, AAG, Haryana.

Mr. U.K.Agnihotri, Advocate,
for the complainant.

HARNARESH SINGH GILL, J. (ORAL)

CRM-29917-2022

Allowed as prayed for.

CRM-29920-2022

Allowed as prayed for. Affidavits dated 07.07.2022, sworn by complainant-injured Shiv Kumar and injured Vivek Chand, are taken on record as Annexures P-5 and P-6, respectively, subject to all just exceptions.

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Through this petition, the petitioners seek regular bail in case FIR No.119 dated 03.06.2022, registered at Police Station Moohana, District Sonapat, under Sections 308, 323, 34 and 506 IPC.

Learned counsel for the petitioners submits that the petitioners have falsely been implicated in the present case; that the

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petitioners are not the aggressors; that as per the medical opinion given by Dr.Amit Sharma, MO, GH, Sonipat, out of three injuries on the person of complainant-injured, namely, Shiv Kumar, injury No.1 has been declared grievous in nature whereas injuries No.2 and 3 are simple in nature and the injuries were caused by some blunt object; that the injury on the person of injured-Vivek Chand has been declared simple in nature, and that none of the injuries on the person of the injured has been declared dangerous to life. He further submits that with the intervention of the respectable of the village, a compromise has been effected between the parties, as would decipher from the affidavits dated 07.07.2022, sworn by complainant-injured Shiv Kumar and injured Vivek Chand, (Annexures P-5 and P-6).

On the other hand, learned State counsel, while opposing the grant of bail to the petitioners, submits that the petitioners had actively participated in the occurrence, and that complainant-injured Shiv Kumar had also sustained an injury on his forehead. However, he submits that he has no instructions qua the compromise effected between the parties.

Learned counsel for the complainant does not dispute the factum of compromise effected between the parties.

I have heard the learned counsel for the parties.

No specific injury has been attributed to the petitioners. As per the opinion of Dr. Amit Sharma, MO, GH, Sonipat, none of the injuries has been declared dangerous to life. Moreover, the compromise has been effected between the parties.

Challan has been presented. The petitioners have been in

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custody since 03.06.2022. The prosecution witnesses are yet to be examined. Trial is unlikely to conclude any time soon. There is no other case registered or pending against the petitioners. Therefore, no useful purpose would be served by keeping the petitioners behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioners are ordered to be released on bail on their furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

22.08.2022

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No