

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-47083-2022

Date of decision :16.12.2022

Raghbir Singh alias Kora

..... Petitioner

Versus

State of Haryana

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Ishnoor Singh, Advocate for
Mr. Vikram Singh, Advocate
for petitioner.

Mr. Aman Bahri, Additional A.G. Haryana.

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HARINDER SINGH SIDHU, J.

This is a petition filed under Section 439 Cr.P.C. for grant of regular bail in case FIR No. 103 dated 2.2.2022 registered under Sections 148, 149, 323, 506 IPC (Sections 324, 307 IPC added later on) at Police Station Karnal Sadar, District Karnal.

FIR was registered on the statement of one Deepak who stated that he was a college student. On 28.1.2022, he and his friend Vikas were taking a walk. When they reached near Chowk of the village then Raghbir Singh alias Kora (petitioner) raised a lalkara that they be finished. On hearing this, Om Darshan, Nitin, Anuj, Nitish, Sandeep, Khushi Ram, Naresh and some ladies suddenly arrived there. They were armed with lathis and dandas. Om Darshan inflicted a gandasi blow on the neck of complainant causing him to fall down. The other assailants also beat him with lathis and dandas because of which he became unconscious. They also inflicted injuries to Vikas.

As per MLR, injury No. 1 sustained by Vikas was stated to have been caused by a sharp weapon and was opined to be dangerous to life.

Learned counsel for petitioner has contended that petitioner is in custody since 22.2.2022. The only attribution to the petitioner is that he had raised a lalkara whereupon allegedly the other accused came and caused injuries to complainant and his companion Vikas. He further states that petitioner is about 70 years of age. The complainant Deepak as also his friend Vikas who had sustained injuries in the incident have already been examined.

Mr. Bahri, learned Additional A.G. Haryana states that the role of the petitioner cannot be ignored as he was the person who raised lalkara whereupon other accused came on the spot and caused injuries.

Considering the age of petitioner, period of custody and the fact that the complainant and injured Vikas have already been examined, no useful purpose will be served by detaining the petitioner behind bars any further. Accordingly, petition is allowed. Petitioner Raghbir Singh alias Kora is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(HARINDER SINGH SIDHU)
JUDGE

16.12.2022
sjks

Whether reasoned order : Yes / No

Whether reportable : Yes / No