

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

CRM-M-364 of 2022

DECIDED ON: 12th January, 2022

Santy and others

.....PETITIONERS

VERSUS

State of Haryana

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. G.S. Sandhu, Advocate for petitioners.

Mr. Karan Sharma, DAG Haryana.

AVNEESH JHINGAN, J (ORAL)

Due to COVID-19 situation, the Court is convened through video conference.

This petition under Section 439 Cr.P.C. is filed seeking regular bail in FIR No. 528, dated 8th August, 2021, under Sections 148, 149, 186, 323, 332, 353, 379-B, 427 and 506 IPC, 1860 and under Section 120-B, 212, 341 (added later on), registered at Police Station Assandh, District Karnal.

The FIR was registered at the instance of Rajender Singh. On 8th August, 2021, police party received the information that there was an altercation between two communities. The complainant along with his colleague reached at the spot and saw that both the parties were armed with lathis and pelting stones on each other. FIR No. 529 was registered at Police Station Assandh. The present FIR was registered alleging that petitioner along with other co-accused attacked the police party. The mobile of the complainant and amount of Rs. 4500/- were snatched. In the incident, the uniform of the police official was torn and rear glass of the private car of the complainant was broken.

Learned counsel for the petitioners submits that alleged snatched mobile phone was not recovered from the petitioners, investigation is complete and co-accused were granted bail. Petitioners are in custody since 8th August, 2021. They were granted bail in FIR No. 529.

Learned State counsel opposes the prayer for grant of regular bail and submits that police party was attacked by the petitioners. It is a case of disruption in the official duty of the police.

The investigation is complete, co-accused were granted bail, as per the contentions raised, no recovery was made from the petitioners and no useful purpose would be served by keeping the petitioners behind the bars as conclusion of trial is likely to take time, petitioners are granted bail subject to their furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petition is allowed.

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

12th January, 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>