

S. No.236

2023:PHHC:152304

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

CRM-M-58616 of 2023

Date of Decision:30.11.2023

Samunder

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. J.P. Jangu, Advocate for the petitioner.

DEEPAK GUPTA, J. (Oral)

By way of present petition filed under Section 439 Cr.P.C., petitioner prays for grant of regular bail in case FIR No.262 dated 15.09.2023 registered under Sections 147, 148, 323, 325, 506 IPC (Sections 326, 120-B, 201 IPC added later on) at Police Station Rajendra Park, District Gurugram.

Learned counsel for the petitioner has drawn attention towards the contents of the FIR and copy of the order dated 12.10.2023 (Annexure P.2) passed by learned Additional Sessions Judge, Gurugram which would reveal that five named persons along with 3-4 unknown persons, who could be identified, caused injuries to Deepak. Learned counsel contends that petitioner is not named in the FIR. It is further pointed out that though the five named persons are specifically attributed to have caused injuries but the unknown persons are not even attributed any injury and if it is assumed that petitioner was one of them, no injury is attributed to him.

Notice of motion.

Mr. Sumit Jain, learned Additional Advocate General, Haryana, accepts notice on behalf of the respondent- State.

Learned State Counsel could not refute the afore-said contentions.
He submits that challan has already been filed.

Custody certificate placed on record by learned State Counsel reveals that petitioner is in custody for the last 02 months and 07 days though he is involved in one more case.

Having regard to the facts and circumstances of the case as noticed above, but without commenting anything on the merits of the case, present petition is allowed. Petitioner is admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/ Duty Magistrate concerned.

November 30, 2023
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(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No