

231 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-3776-2024
Date of Decision:30.01.2024

Manish Kumar ...Petitioner

VS.

State of Haryana ...Respondent

Coram : Hon'ble Mr. Justice N.S. Shekhawat

Present : Mr. B.S.Beniwal, Advocate
for the petitioner.

Ms. Sheenu Sura, DAG, Haryana.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 439 of the Cr.P.C. with a prayer to grant regular bail to him in case FIR No.269 dated 02.10.2023 registered under Sections 34, 458, 506 of IPC (Sections 459, 148, 149 of IPC added and Section 34 of IPC deleted later on), at Police Station Bhattu Kalan, District Fatehabad.

2. Learned counsel for the petitioner contends that the petitioner is a school going boy, aged 18 years and has no criminal antecedents. He further contends that no specific injury has been attributed to the present petitioner. As per the prosecution, the complainant had suffered 3 injuries and only one injury on the right leg has been declared to be grievous in nature, which is on the non-vital part of the body. Learned counsel further contends that the petitioner was arrested in the present case on 09.10.2023 and the final report under Section 173 Cr.P.C. has already been presented against him. While placing reliance on

the order dated 18.01.2024 in CRM-M-58952-2023 (Annexure P-3), learned counsel submits that similarly placed co-accused Kuldeep has already been granted the concession of anticipatory bail by this Court and the case of the petitioner is at par with him.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that there are serious allegations against the petitioner.

4. I have heard learned counsel for the parties and perused the record.

5. It is not in dispute that the co-accused Kuldeep has already been granted the concession of anticipatory bail by this Court, vide order dated 18.01.2024 in CRM-M-58952-2023 (Annexure P-3). Another co-accused Sachin, juvenile has also been admitted to bail by the Court of Principal Magistrate, Juvenile Justice Board, Fatehabad, vide order dated 22.11.2023 (Annexure P-4). The petitioner is stated to be a student and aged about 18 years and has no criminal antecedents.

6. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

(N.S.SHEKHAWAT)
JUDGE

30.01.2024
hemlata

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No