

2024:PHHC:064664



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

233

CRM-M-19055-2024
Date of decision : 08.05.2024

Monu Singh @ Kashi @ Monu Petitioner

versus

State of Haryana Respondent

CORAM : HON'BLE MR.JUSTICE PANKAJ JAIN

Present :- Mr. Mohit Bishnoi, Advocate
for the petitioner.

Mr. Ashok Kumar Sehrawat, AAG, Haryana.

PANKAJ JAIN, J. (ORAL)

1 This petition has been filed under Section 439 Cr.P.C. for grant of regular bail in case F.I.R. No.423 dated 12.12.2022 registered under Sections 147/148/149/323/379-B/427/452/506 IPC (later on added Sections 324/325/120-B/302/307 IPC and Section 25 of Arms Act) at Police Station Bhuna, District Fatehabad, Haryana.

2 Status report by way of affidavit of Jagdish Kumar, HPS, Deputy Superintendent of Police, Bhuna, Fatehabad on behalf of the respondent-State has been filed. The same is taken on record.

3 As per the contents of the FIR, it has been alleged as under :-

“ To, SHO P.S. Bhuna. Subject: Application for taking legal actions against Kanshi Caste Valmiki R/o Ward No. 14, Bhuna, Pintu S/o Babu Lal R/o Bihar, Deepak @ Lalua Caste Valmiki, Sandeep @ Bachhi S/o Karnail Singh Caste Chamar, Kaku S/o Kala Barf wala, Caste Jhimer, Mangal Caste Chamar, R/o

2024:PHHC:064664



Chand Nagar, Bhuna, District Fatehabad and 30-40 unknown persons. Sir, it is humbly submitted that we applicants (1) Garib Das S/o Gopi Ram is permanent R/o Chandar Nagar, Bhuna. That in our family, father of Manoj, Ram Das was died and after the death of Ram Das we kept on sitting in his house. During this, on the kiriyana shop of Garib Das above said Kanshi Ram came to purchase mandal of bihri and grand-son of Garib Das namely Shivam was sitting in the street and said that due to death in our house no mandal of bihri can be given. On this, Kanshi Ram gave slap on the mouth of Shivam and after sometime, he called 30-40 people on the spot and coming them on spot, they have assaulted with bricks and stones and pelted stones and bricks in their house, they gave knife blow in the stomach of Mukesh S/o Garib Das, inflicted bricks on the head of Ravi and caused grievous injuries on the finger and thumb of the harid of Ramesh and broke down entire domestic articles of the house and took away gold chain of Mukesh. The police was called on the spot and on coming the police on the spot, they fled away. One and two of them also breaks down in front of the police then the police again called PCR on the spot then, all fled away from the spot. They also caused injuries to the women of the house and they have also received injuries. Sir, the entire residents of the ward are aggrieved with these persons, they have threatening to kill us. It is therefore, requested you legal action be taken against all these assailants and police force be deployed in our area (mohalla) so that, no untoward incident can take place."

4 Learned counsel for the petitioner submits the main injury on the body of the deceased is attributed to one Sandeep @ Bachi. Co-accused namely Ram Niwas, Sanjay, Vakil @ Gokal, Deepak, Sahil @ Pohla, Mangal, Pintu and Suresh already stand admitted to bail by this Court.

5 Learned counsel for the petitioner submits that challan already stands presented and thus there can not be any apprehension that the petitioner shall tamper with the evidence. The petitioner has no other prior

2024:PHHC:064664



criminal antecedents.

6 Learned State counsel does not dispute that the petitioner is similarly situated to the other co-accused.

7 I have heard learned counsel for the parties and have gone through the records of the case.

8 Without commenting on the merits of the case by granting parity with co-accused and considering the incarceration suffered by the petitioner, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.

9 Needless to say that anything observed herein shall not be construed to be an opinion on the merits of the case.

(PANKAJ JAIN)
JUDGE

08.05.2024
Dinesh

Whether speaking/reasoned	Yes
Whether Reportable :	No