

CRM-M-30848-2024

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IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-30848-2024

Date of decision : July 05, 2024

Mandeep @ Deepu

....Petitioner

VERSUS

State of Haryana

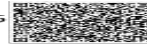
....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. S.K.Liberhan, Advocate, for the petitioner
Mr. Bhupender Singh, DAG, Haryana

KULDEEP TIWARI,J. (ORAL)

1. Through the instant petition filed under Section 439 Cr.P.C. the petitioner prays for grant of regular bail in case FIR No. 72 dated 18.2.2024, under Sections 148, 149,323,324,325,326,506 IPC, registered at Police Station City Kaithal.
2. On perusal of the FIR, it reflects that the petitioner along with other 8 to 10 persons caused multiple injuries to complainant Surender, with *sticks/dandas, gandasi*, and iron rods which resulted in four injuries to the complainant, and out of which, three are stated to be grievous in nature.
3. Learned counsel for the petitioner, in asking for the relief of regular bail, submits that no specific role has been attributed to the present petitioner, and rather it is a case of false implication. He further submits that only four injuries had been suffered by the complainant, whereas 8 to



10 persons attacked upon the complainant, which caused suspicion on the story put forth by the prosecution. He also submits that no recovery of weapon was effected from the petitioner, therefore, even as per the prosecution, he was empty handed on the spot. He further submits that co-accused Aman has already been granted the benefit of regular bail by this Court vide order dated 3.7.2024 passed in CRM-M-30734-2024, and the present petitioner is on the same pedestal. He also submits that the petitioner is behind bars since 4.3.2024 and, therefore, has suffered incarceration of about 4 months.

4. Learned State counsel, per contra, opposed the grant of regular bail to the petitioner, and submits that the accused have caused four injuries to the complainant, on a trivial issue, as complainant was stopping them from drinking in front of his house. He further submits that the petitioner is involved in one more case, therefore, he does not deserve the relief of regular bail. The learned State counsel, on instructions imparted to him by ASI Jaipal, submits that final report has been filed on dated 10.5.2024, but the charges are yet to be framed, and the prosecution has cited total 18 witnesses in the final report.

5. Be that as it may, considering the fact that the petitioner has suffered incarceration of about 4 months, and the trial is yet to begin, and no specific role is attributed to him, and also keeping in view the fact that the co-accused Aman has already been extended the benefit of regular bail vide order (*supra*), this Court deems it fit and appropriate to extend the benefit of regular bail to the petitioner. Therefore, the present petition is

allowed.

6. The petitioner is ordered to be released on bail on furnishing of bail bonds, and surety bonds to the satisfaction of concerned Chief Judicial Magistrate/trial Court/Duty Magistrate.

7. However, anything observed here-in-above shall have no effect on the merits of the case and is meant for deciding the present petition only.

July 05, 2024

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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned ?

Yes/No

Whether Reportable ?

Yes/No