



In the High Court for the States of Punjab and Haryana
At Chandigarh

CRM-M-41898-2024 (O&M)
Date of Decision: 3.9.2024

Goldy ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Rajat Khanna, Advocate for the petitioner.

Mr. Neeraj Sheoran, DAG, Haryana.

FIR No.	Dated	Police Station	Section/s
351	21.6.2024	City Jagadhri, District Yamunanagar	148, 149, 201, 323, 324, 326, 427, 435, 436 and 506 of Indian Penal Code

GURVINDER SINGH GILL, J. (Oral)

- The petitioner seeks grant of regular bail in respect of the aforementioned FIR.
- The Translated gist of the FIR is reproduced hereinunder:

“It is submitted that I, Rakesh Kumar son of Harsh Pal is permanent resident of H.No.499, Gobindpuri, Yamuna Nagar, Jagadhri. Today on 21.06.2024, I alongwith JCB operator Mange Ram, Ajay Kumar, Rajesh Kumar, Vishal and Giriwar went on the said land to construct the compound/boundary wall on the same. When I started the digging of the foundations with JCB, several persons of Village Hundewala armed with *lathies*, *dandas* and stones attached. One of the villager namely Girdhari



broke the glass pane of our JCB with stone and Vicky son of Surender, Goldy son of Mahi Pal both residents of village Hundewala put the hut of chowkidar namely Prakash on fire and as a result of which Rs.35,000/- cash of Mango crop and electrical articles were burnt. In the above said incident, Jagdish, Chanda Ram snatched gold chain of 4 tolas of Ajay Kumar whereas Bhushan son of Mehar Chand, Rajat son of Surjit Kumar, Nandi son of Mahinder, Sunil son of Surjit Kaur, Sangita and Mahindro and 20/25 other persons armed with sword, *dandas* and stones attached upon us, who can be identified through video. Mange Ram has sustained injuries on hand and mouth and Giriwar has sustained injuries on head and other also sustained injuries. With a great difficulty, we managed to escape and save ourselves. They threatened us to kill if we again came there, then we called on Dial 112. We also have video of above said incident.”

3. Learned counsel for the petitioner submitted that the matter has been amicably resolved amongst the parties and that since several other co-accused have already been granted bail, the petitioner may also be extended the same concession.
4. At this stage, Mr. Vijay Pratap Singh, Advocate has put in appearance on behalf of the complainant and has filed *Vakalatnama*, which is taken on record. Learned counsel representing the complainant has endorsed the factum of compromise and has stated that he has no objection in case the petitioner is granted bail.
5. Learned State counsel submitted that since the petitioner is specifically named in the FIR, no case for grant of bail is made out. Learned State counsel has not disputed that some of the co-accused have already been granted bail. It has been informed that the petitioner has been behind bars since the last



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about 1½ months and although challan stands presented but charges are yet to be framed.

6. This Court has considered rival submissions addressed before this Court.
7. Without commenting anything as regards merits of the case, but having regard to the nature of allegations and the fact that the parties have amicably resolved the matter, the instant petition is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

3.9.2024
Pankaj/G

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No