



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

CRM-M-42493-2024 (O&M)
Date of Decision: 5.9.2024

Jarnail Singh ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Nirmal Singh, Advocate for the petitioner.

Mr. Neeraj Sheoran, DAG, Haryana.

FIR No.	Dated	Police Station	Section/s
351	21.6.2024	City Jagadhri, District Yamuna Nagar	148, 149, 323, 324, 34, 427, 435, 506 of Indian Penal Code, wherein offence under Sections 201, 326 and 436 IPC were added later on

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 petitioner is nowhere named in the FIR and has been falsely implicated in the present case solely on the basis of a disclosure statement made by co-accused, which would hardly carry any evidentiary value. Learned counsel submitted that the petitioner has been behind bars since the last about 1 month and 15 days and since 11 other co-accused have already been granted bail, the petitioner also deserves the concession of grant of bail.
4. Opposing the petition, learned State counsel submitted that it is a case where two persons were injured and that while one of the injured namely Giriwar had sustained only 1 injury in the nature of laceration on his head, the other injured namely Mange Ram had sustained as many as 5 injuries out of which 4 are incised wounds on fingers and 1 is laceration on the mouth. It has further been informed that one of the injuries on the fingers has been opined



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to be grievous. Learned State counsel has not disputed that some of the co-accused have already been granted bail. Learned State counsel, has, however, informed that the petitioner has been behind bars since the last about 1 month and 15 days.

- 5. This Court has considered rival submissions addressed before this Court.
- 6. Without commenting anything as regards merits of the case, but having regard to the custody of the petitioner i.e. about 1 month and 15 days and also the fact that the petitioner has been nominated on the basis of a disclosure statement made by co-accused, the veracity and admissibility of which would be debatable, 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.

5.9.2024
Pankaj

(Gurvinder Singh Gill)
Judge

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