



IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Date of decision : October 29, 2024

1. CRM-M-52462-2024

Rajesh Kumar @ Chuha	Petitioner
Versus	
State of Haryana	Respondent

2. CRM-M-53151-2024

Deepak Kumar @ Jangli	Petitioner
Versus	
State of Haryana	Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Navneet Singh, Advocate, for petitioner-Rajesh Kumar @ Chuha

Mr. Ashish Grewal, Advocate, for petitioner-Deepak Kumar @ Jangli

Mr. Rajesh Gaur, Addl. AG, Haryana

KULDEEP TIWARI,J. (ORAL)

1. Both these petitions are amenable to be decided together as common relief i.e. seeking regular bail in a common FIR i.e. FIR No. 763 dated 8.8.2024, under Sections 191(3), 190, 115, 324(4), 109 of BNS and Sections 25,54,59 of the Arms Act, registered at Police Station Yamuna Nagar City, District Yamuna Nagar, has been sought, therefore, both the petitions are taken together for decision.



2. The instant FIR has been registered on the statement of one Abhishek Yadav. The relevant extract reads as under:-

“Statement of Abhishek Yadav S/o Santosh Kumar R/o H. No. 336/18 Street No. 4 Azad Nagar Yamuna Nagar PS City Yamuna Nagar District Yamuna Nagar Age 20 years Mobile No. 9896787017 stated that I am a resident of the above address and study in 102. On the night of 7, 8/08/2024 at about 12.15 pm, I was going to my house from the canal side. So at that very moment I reached my friend Raman's house where Rajat @ Kala and Lavish @ Mika sons of Surendra R/o H.no. 991 Shanti Colony Yamuna Nagar, Sunil @ Chutki S/o Mohan Lal R/o H.no. 968 Shanti Colony Yamuna Nagar, Shanky, Anurag, Jangli, Rajesh @ Chuha, Prince, Sahil and other boys were standing in the street and pelting stones at Raman's house. They said that he is also Raman's friend. Kill him too. Shanky hit me on the head with a piece of brick with the intention of killing me and one of his companions had a country-made pistol. In which one of them fired at me and Raman with the intention of killing us and in the above mentioned jarban. They have hit me and destroyed Raman's entire house with stones and bricks.”

3. The perusal of the contents (*supra*) reflect that no injury whatsoever is attributed to the present petitioners. Further petitioner-Rajesh Kumar @ Chuha has suffered incarceration of 02 months and 13 days whereas petitioner-Deepak Kumar @ Jangli has suffered incarceration of 02 months and 17 days, as on today, in the instant FIR.

3. Learned State counsel after having instructions from official concerned, informed this Court that final report is not yet filed.

4. Be that as it may, without commenting upon the merits of the case, and considering the incarceration suffered by the petitioners, and the



roles attributed to the present petitioners, and the fact that the case is still at the stage of investigation, this Court deems it appropriate to extend the benefit of regular bail to both petitioners. Therefore,both the petitions are **allowed.**

5. Both the petitioners are 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.

6. 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.

October 29, 2024
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(KULDEEP TIWARI)
JUDGE

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