

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

219

CRM-M-57163-2023
Date of decision : 04.01.2024

Sokin Petitioner

versus

State of Haryana Respondent

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Sandeep Kumar Rana, Advocate
for the petitioner.

Mr. Ashok Kumar Sehrawat, DAG, Haryana.

PANKAJ JAIN, J. (Oral)

1. Present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case bearing FIR No.162 dated 25.09.2023, registered for the offences punishable under Sections 148, 149, 323, 332, 353, 186 and 379-B of IPC, 1860, at Police Station Uttawar, District Palwal.
2. As per the contents of the FIR, it has been alleged as under:-

“Statement of Tekchand No. 24/NUH SI/SHO Police Station Uttawar, District Palwal has states that in police station Uttawar I am posted on the rank of Station House Officer, that on 25.09.2023, he received an intimation from police control room, Palwal around 8:15 AM. that an information was received that the mobile no. 9466485007 which belongs to Sokin resident of

2024:PHHC:000118

Raniyala Khurd with whom quarrel is going on, reach the spot to take action. Based on this information I, SHO along with HGH Dayaram no.523, SPO Harish No.256 in car bearing no. HR 30 GV 3641 Driver Sepoy Kuldeep No.200 reached the place of incident. That I, SHO was having some conversation with Sokin, in the meantime Ajij son of Sher Mohd., also came at the spot. That Sokin started hurling abuses. That family members of Sokin named Hamid@ Kala son of Aash Mohd., Anish @ Hunny son of Aash Mohd., Aash Mohd. son of Chahat @ Bona, Islami wife of Ash Mohd., Ruksar daughter of Aash Mohd., Sajida daughter of Hamid, Pumma daughter of Aash Mohd., Javed son of Yahya, Mustafa son of Akhtar, Ajij son of Sher Mohd., residents of Raniyala Khurd and Sadafat Grand Nephew of Aash Mohd., also reached at the spot who were armed with Lathi and Danda. That they proclaimed at they will settle the dispute on their own, let us first teach lesson to the police. Thereafter, Sokin tried to inflict a Lathi blow on my head, in which a sharp edge thing was affixed on the tip of the lathi which I stopped with my hand. That lathi hit me on finger of my right hand, further Hamid @ kala inflicted a lathi blow on my thigh, that Aash Mohd., slapped me and Ruksar inflicted lathi blow in my chest, Ajij son of Sher Mohd., pushed me and Hamid @ Kala, Sokin and Anish tore my uniform and Sokin and Hamid snatched Rs. 5000/- from my pocket. That my accompanying colleagues got me admitted in Govt. Hospital Hathin for my treatment, where my MLR is conducted, that above mentioned people in connivance with each other caused

2024:PHHC:000118

difficulty/problem in a government work and after beating and stealing money from my pocket has torn my uniform. That legal action must be taken against these people. That, I have recorded my statement, which is read by me and which correct.”

3. Counsel for the petitioner submits that co-accused Hamid already stands admitted to regular bail by the Courts below. The investigation already stands concluded and the challan stands presented. Petitioner is behind bars for more than 03 months and 08 days.
4. Learned State counsel does not dispute the aforesaid factual assertions made by counsel for the petitioner based upon the records.
5. Without commenting on the merits of the case and keeping in view that the investigation already stands concluded and there cannot be any apprehension that the petitioner shall tamper with the evidence and the trial is not likely to conclude in the near future, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.
6. Needless to say nothing recorded herein shall be construed to be an expression of an opinion on the merits of the case.

(PANKAJ JAIN)
JUDGE

04.01.2024
Dinesh

Whether speaking/reasoned :	Yes
Whether Reportable :	No