

(2010) 12 P&H CK 0535

High Court Of Punjab And Haryana At Chandigarh

Case No: Criminal Miscellaneous M 34276 of 2010

Hakam and Others

APPELLANT

Vs

State of Haryana

RESPONDENT

Date of Decision: Dec. 2, 2010

Hon'ble Judges: M.M.S. Bedi, J

Bench: Single Bench

Judgement

M.M.S. Bedi, J.

This petition has been filed by six persons, accused of having constituted an unlawful assembly of about 30 persons, as per allegation of the complainant Ummar Mohd. There are allegations of injuries having been caused by unlicensed fire arm weapons by the members of the unlawful assembly.

2. Learned Counsel for the Petitioners has stated that none of the Petitioners has been attributed any specific injury and that one of the co-accused of the Petitioners has been granted the concession of pre-arrest bail by this Court.

3. I have heard counsel for the parties and gone through the allegations against each of the Petitioners. Petitioners 1 to 4 had allegedly used fire arms, as such they are not entitled to the concession of pre-arrest bail. Learned Counsel for the Petitioners submits that the allegations against them are vague and that no injury is attributed to them. The said ground may constitute a good ground for grant of regular bail on their surrender before the Illaqa Magistrate or the police. The petition is dismissed qua Petitioners 1 to 4. So far as Petitioners 5 and 6, namely, Yasin and Sirdar, are concerned, they were allegedly armed with dandas but no injury is attributed to them. The petition on their behalf is allowed and it is ordered that in case of arrest of the Petitioners 5 and 6, namely, Yasin and Sirdar, they will be released on bail to the satisfaction of the arresting officer subject to the condition that the Petitioners No. 5 & 6 will join the investigation as and when required by the police and will not tamper with evidence or hamper the investigation.