

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM No.M-44514 of 2014

Date of Decision: January 08, 2015

Ravi Kumar

...Petitioner

VERSUS

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGHPresent: Mr.Sanjeev Kumar Panwar, Advocate
for the petitioner.Mr.Deepak Grewal, Deputy Advocate General, Haryana
for the respondent-State.Mr.Karan Singh, Advocate
for the complainant.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.226 dated 28.11.2013 under Sections 148, 149 and 302 IPC registered at Police Station Sadar Yamuna Nagar, District Yamuna Nagar.

Notice of motion was issued and learned State counsel as well as learned counsel for the complainant appeared and contested the petition.

I have heard learned counsel for the parties as well as learned State counsel and have gone through the record.

From the record, I find that as per FIR, 22 persons have been named, who have kidnapped Mohit at 10.00 P.M. on 28.11.2013.

After specifically naming those persons, it is also written that some

other boys also associated them. There is allegation regarding giving beating to Mohit by these boys, who succumbed to the injuries. There is nothing in the FIR that any of more than 20 persons was armed with any weapon or caused any injury with that weapon.

It has been brought to the notice of this Court during the arguments that challan was presented against 11 accused only and the present petitioner along with four others has been summoned under Section 319 Cr.P.C. The present petitioner was found innocent during investigation.

The present petitioner is not required for custodial interrogation nor anything is to be recovered from him. He was not stated to be armed with any weapon. No specific injury is attributed to him. The petitioner is only to face the trial. The completion of trial will take long time. No useful purpose will be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the case, and without discussing the merits of the case in minute details and without expressing any opinion on the merit of the case, I find it a fit case where petitioner is entitled to benefit of anticipatory bail. The petitioner is directed to appear before the trial Court within ten days and on doing so, he shall be released on furnishing bail bonds in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of the learned trial Court/Duty Court, Yamuna Nagar at Jagadhri.

January 08, 2015
Vgulati

(INDERJIT SINGH)
JUDGE