

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.**

209

CRM-M-38292-2015

Date of Decision: February 1, 2016

PARDEEP

.....PETITIONER

VERSUS

STATE OF HARYANA AND ANR.

.....RESPONDENTS

CORAM:- HON'BLE MR. JUSTICE M.M.S.BEDI

Present: Mr.Arun Yadav, Advocate for the petitioner

Mr.Vikas Malik, DAG, Haryana

None for the respondent No.2

M.M.S.BEDI, J.(Oral)

Petitioner seeks concession of pre-arrest bail in a case of assault registered under Section 323/506/34 Indian Penal Code and Section 3 of the SC/ST (Prevention of Atrocities) Act 1989 having been summoned as accused in a private complained filed at the instance of Sanjay on 28.3.2012 alleging that about 4/5 months back on 29.11.2011 when the complainant and his brother Sandeep were working as Electricians in a marriage programme the petitioner along with three others under influence of liquor, abused the complainant in the name of his caste and gave fist blows.

After hearing counsel for the petitioner and State counsel, it transpires that on the complaint pertaining to some incident made by the petitioner, an FIR was registered against the complainant and his brother Sandeep and they stand convicted by a judgment dated 5.9.2014. Copy of the judgment has been placed on record as Annexure P-2. The culpability of the petitioner certainly would be a debatable issue as the complaint has been filed after a gap of four months.

The petition is allowed. It is ordered that in case the petitioner puts in appearance on the next date of hearing before the summoning Court he shall be released on bail on his furnishing bail bond and surety bond to the satisfaction of the summoning Court.

February 1, 2016
TSG

(M.M.S.BEDI)
JUDGE