

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No.218

CRM-M-16823-2017

Decided on : 17.05.2017

Sandeep and another

..... Petitioners

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Aditya Sanghi, Advocate, for the petitioners.

Mr.Manish Bansal, DAG, Haryana.

DEEPAK SIBAL, J. (ORAL)

Through this petition filed under Section 439 Cr.P.C., the petitioners seek regular bail in FIR No.67, dated 18.04.2017, registered under Sections 323, 34, 506 IPC and Section 3 of the SC/ST Act, at Police Station Rampura, District Rewari, Haryana.

Seeking regular bail for the petitioners, learned counsel submits that the petitioners have been falsely implicated in the present case for the reason that a day before the lodging of the FIR it is the complainant who had beaten up the petitioners; the allegations with regard to abusing the complainant on the basis of caste are palpably false as the petitioners being strangers to the complainant would have not known the caste of the complainant; they are not involved in any other criminal case and that the challan having been filed, their custody is no longer needed.

Learned State counsel admits that the challan has been filed and at this stage, the petitioners are not needed by the investigating agency.

After considering the above rival submissions, for the reason that the issue whether the petitioners, at the time when they are alleged to have abused the complainant were aware about his caste, is debatable; there is no

other criminal case in which the petitioners are involved and that the investigation in the case being over, no useful purpose would be served by keeping the petitioners in custody any longer.

Bail to the satisfaction of the CJM/Duty Magistrate, Rewari.

Nothing observed hereinabove shall be considered to be an expression of opinion by this Court on the merits of the case.

During the period that the bail is granted to the petitioners, if they are found indulging in any criminal/illegal activity or misusing the concession of bail granted by this Court, it would be open to the State to move an appropriate application before the competent Court/this Court for cancellation of the bail granted to the petitioners.

17.05.2017
shamsher

[DEEPAK SIBAL]
JUDGE

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No