

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

CRM No.M-25173 of 2017 (O&M)

Date of decision: July 21, 2017

Gulshan and another

...Petitioners

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Sumit Gupta, Advocate,
for the petitioners.

INDERJIT SINGH, J.

Petitioners-Gulshan and Dharamvir have filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.178 dated 23.05.2017, registered at Police Station Madhuban, District Karnal, for offences punishable under Section 295-A of the Indian Penal Code, Section 66(D) of the Information and Technology Act and Section 3 (z) (c) Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989.

Notice of motion has been issued in this case. Mr. B.S.Virk, Deputy Advocate General, Haryana has put in appearance on behalf of the respondent-State and Mr. Suresh Kumar Kaushik, Advocate has appeared and filed memo of appearance on behalf of the complainant and contested the instant petition.

I have heard learned counsel for the parties as well as learned

State counsel and gone through the record.

From the record, I find that as per the allegations, the petitioners used abusive language against the scheduled castes community and viral the message on whatsapp.

Learned counsel for the complainant states that the parties have already settled the matter and he has no objection, if the petitioners are granted the concession of regular bail. Otherwise also, the petitioners are in custody since 01.06.2017. They are not required for any investigation or interrogation purposes as they are in judicial custody. The trial of the case will take long time. No useful purpose will be served by keeping the petitioners in custody till the final disposal of the case.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioners are ordered to be released on bail subject to their furnishing personal bonds in the sum of Rs.40,000/- with one surety in the like amount each to the satisfaction of the trial Court/Duty Magistrate.

July 21, 2017

rajesh k.khurana

(INDERJIT SINGH)
JUDGE

Whether Reportable	:	Yes
Whether speaking/reasoned	:	No