

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

**CRM-M No. 12566 of 2019  
Date of Decision:.25.03.2019**

Rohit

.....Petitioner

*Versus*

State of Haryana

..... Respondent

**CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU**

Present: Mr. Pawan Kumar Hooda, Advocate for the petitioner.  
Mr. Manoj Kumar Sangwan, DAG, Haryana.

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**MAHABIR SINGH SINDHU, J. (Oral)**

The present petition has been filed under Section 439 of the Code of Criminal Procedure (for short 'Cr.P.C') for grant of bail pending trial to the petitioner in case FIR No.723 dated 08.11.2018, under Sections 307/323/34 of the Indian Penal Code, registered at Police Station Rohtak City, District Rohtak.

FIR in the present case was registered on the basis of statement made by one Parveen Rathi with the allegations that four boys armed with dandas and sluggers came on their motor cycles and gave beatings to Davender and Sachin but the petitioner is not named in the FIR and he has been nominated as an accused on the basis of statements made by the injured in the Hospital.

It is contended that petitioner is in custody since 22.01.2019, report under Section 173 Cr.P.C has already been submitted and now the case is fixed for 18.04.2019; charges are yet to be framed and during investigation no incriminating material was recovered from him except the demarcation of the place of occurrence which was already known to the investigating officer. Also contends that there is

no other criminal case pending against the petitioner.

The above factual position is duly acknowledged by learned State Counsel, on instructions from SI Kuldeep Singh.

Since investigation in the case is already over; report under Section 173 Cr.P.C. has also been submitted and charges are yet to be framed against the petitioner; and in view of the fact that there is no other criminal case pending against the petitioner; his further custody will not serve any purpose; thus, it would be just and appropriate if the concession of bail is granted to the petitioner. Therefore, this petition is allowed and petitioner-Rohit is ordered to be released on bail, in this case, on his furnishing adequate bail bonds and surety bonds to the satisfaction of learned trial Court.

The above observations may not be construed as an expression of opinion on merits of case.

25.03.2019  
mamta

( MAHABIR SINGH SINDHU )  
JUDGE

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|----------------------------------|---------------|
| <i>Whether speaking/reasoned</i> | <i>Yes/No</i> |
| <i>Whether Reportable</i>        | <i>Yes/No</i> |