

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

212

CRM-M-15523-2019 (O & M)
Date of Decision:13.05.2019

Amit @ Monu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Ravinder Banger, Advocate
for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

Mr. Abhinav Aggarwal, Advocate for the complainant.

MANOJ BAJAJ, J.(ORAL)

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure for grant of regular bail in case FIR No.697 dated 18.08.2018, under Sections 148, 149, 324, 341, 379-B and 506 IPC, registered at Police Station Civil Lines Karnal.

The prosecution case is that the the accused Anil along with co-accused on 16.08.2018 committed rioting by forming an unlawful assembly armed with deadly weapons i.e. swords and iron rods and snatched ₹5000/- from the pocket of the complainant by causing hurt with swords etc. and by causing wrongful restraint and also cause criminal intimidation by threatening the complainant with death.

Learned counsel for the petitioner contends that the petitioner is in custody since 20.08.2018 and challan stands filed qua him on 19.11.2018. Thereafter the challan in respect of co-accused Arun was filed on 17.02.2019. It is contended by him that the bail application was rejected by the trial Court on the ground that two accused are yet to be arrested. He further contended that there is no other case against the petitioner.

On the other hand, learned State counsel assisted by SI Ram Asray as well as counsel for the complainant opposed the bail application on the ground that in case the petitioner is released on bail, he can pressurize the witnesses. It is not disputed by the learned State counsel that the charges are yet to be framed and two of the accused namely Mangal and Pankaj are yet to be arrested.

Considering the custodial period of the petitioner and the fact that investigation qua him is complete, further detention of the petitioner may not be justified. Therefore, without meaning any expression on the merits of the case, the petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

13.05.2019

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(MANOJ BAJAJ)
JUDGE

Whether Speaking/Reasoned: Yes/No

Whether Reportable : Yes/No