

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

CRM-M-21179 of 2019
Date of Decision: 14.05.2019

Sonu Mor

....Petitioner

Versus

State of Haryana

....Respondent

CORAM:HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Ankur Sidhar, Advocate
for the petitioner.

Mr. Rahul Mohan, DAG, Haryana.

MAHABIR SINGH SINDHU, J.(Oral)

Present petition has been filed under Section 439 Cr.P.C. seeking bail pending trial in FIR No. 22 dated 03.02.2019, under Section 506 of the Indian Penal Code and Sections 3(1) (u), 3(1) (v), 3(1) (z) and 3 (1) (zc) of SC & ST Act, 1989 registered at Police Station Bass, Hansi, Hisar.

As per the allegation of the prosecution, on 14.12.2018, Pardeep s/o Ramesh, resident of Bass Badshahpur abused complainant in the name of caste and threatened him to kill for which he lodged an FIR No. 204 dated 14.12.2018, Police Station Bass. Further alleged that now said Pardeep who is lodged in Jail, through his friend Sonu Mor-petitioner threatened to kill the complainant and leave the village by way of a phone call and also abused in the name of caste.

Learned counsel for the petitioner contends that the petitioner is in custody since 13.02.2019. Further contends that report under Section 173 Cr.P.C. has already been submitted on 11.04.2019 before the Court of competent jurisdiction and now the case is fixed

for consideration of charges on 29.05.2019.

On instructions from ASI Surjeet Singh, learned State counsel has acknowledged the above factual position.

Heard learned counsel for the parties and perused the paper book.

Keeping in view the fact that report under Section 173 Cr.P.C. has already been submitted on 11.04.2019 before the Court of competent jurisdiction and there is no allegation that the complainant was abused or some caste related words were uttered in the presence of any third person. Still further the charges are yet to be framed in this case, thus the trial is likely to take a long time to be concluded, as such no useful purpose would be served by keeping the petitioner behind the bars any more.

Therefore, in view of the abovesaid circumstances, without expressing any opinion on the merits of the case, this petition is accepted. Petitioner-Sonu Mor be admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

However, it is made clear that the disposal of the present petition may not be construed as an expression of opinion on the merit of the case pending before learned trial Court.

[MAHABIR SINGH SINDHU]
JUDGE

May 14, 2019
rashmi

Whether speaking/reasoned
Whether reportable?

yes/no
yes/no