

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

234

CRM-M-21051-2019.

Date of Decision: 14.05.2019.

Dinesh Mongia

....Petitioner.

Versus

State of Haryana

....Respondent.

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr. Deepender Singh, Advocate for the petitioner.

Mr. Ramesh Kumar Ambavta, Assistant Advocate General,
Haryana.

Shekher Dhawan, J.

Present petition under Section 439 of the Criminal Procedure Code is for grant of regular bail to petitioner Dinesh Mongia son of Ram Parkash Mongia in case F.I.R. No.36 dated 28.02.2019 under Sections 148, 149, 323, 325, 341, 427, 307 of the Indian Penal Code [during investigation Section 307 IPC deleted and Section 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and Section 120-B IPC added], registered at Police Station Hansi Sadar, District Hisar.

Learned counsel representing petitioner Dinesh Mongia son of Ram Parkash Mongia contended that the petitioner is in custody since 24.03.2019 and the offence under Section 307 IPC already stands deleted in this case and the remaining offences against the petitioner are bailable one except the newly added Section 3(2)(v) of the S.C. & S.T. Act. As regard to

the offence under S.C. & S.T. Act, there is no injury or utterance of words to anybody even. Trial of the case still to take some more time and no useful purpose would be served by detaining the petitioner behind the bars, so he be released on bail.

Learned State counsel opposed the prayer for bail on the ground that there were total seven injuries to injured and no case is made out for release of the petitioner on bail.

Having considered the submissions made by learned counsel for the parties and the fact that offence under Section 307 IPC has already been deleted and remaining offences are bailable one except offence under Section 3(2)(v) of the S.C. & S.T. Act and even for that offence, there is no injury or utterance of words even. Co-accused Dinesh alias Sudan and Gopal alias Kanda have already been released on bail, the present petition is allowed. Petitioner—Dinesh Mongia son of Ram Parkash Mongia, is ordered to be admitted to regular bail on his furnishing adequate bail bond and surety bond to the satisfaction of concerned learned trial Judge/ Chief Judicial Magistrate/ Duty Magistrate.

(SHEKHER DHAWAN)
JUDGE

14.05.2019

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Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No