

Sr. No.214

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

CRM-M-22370-2019

Date of decision:21.05.2019

Pardeep

.....Petitioner

versus

State of Haryana

.....Respondent

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Jitender Dhanda, Advocate
for the petitioner.

Mr. Vikas Malik, DAG, Haryana.

Rajbir Sehrawat, J(Oral)

Present petition has been filed for seeking bail pending trial in FIR No.204, dated 17.12.2018 for the offences punishable under Sections 506 IPC, Section 3(1)(u) of the Scheduled Caste and the Scheduled Tribes(Prevention of Atrocities) Act, 1989 and Section 67 of Information and Technology Act, 2000, registered at Police Station Bass, District Hisar.

Learned counsel for the petitioner contends that allegations against the petitioner are totally misconceived and concocted. Even as per the case of the prosecution, the only allegation against the petitioner is that he had uploaded some video insulting the complainant in the name of caste. It would be a moot point whether such a video would fall within the definition of the offence under the Act or not. Still further it is contended that the petitioner is in custody since 20.12.2018. Trial in the case has already started. Therefore, petitioner is not required for any investigation purposes. Hence the petitioner deserves to be released on bail pending trial.

On the other hand, learned State counsel being instructed by ASI Surjit Singh, submits that the petitioner is involved in heinous crime of insulting a person belonging to scheduled caste. It is further submitted that the petitioner had uploaded the objectionable video against the complainant. However, it is not disputed that the petitioner is in custody since 20.12.2018 and he is no more required for investigation purposes.

In view of the above, but without commenting upon the merits of the case, the petition is allowed. Petitioner is granted the concession of bail pending trial. He be released on bail pending trial subject to furnishing bail bonds/surety to the satisfaction of the concerned Trial Court/Duty Magistrate.

21st May, 2019

Shivani Kaushik

**[RAJBIR SEHRAWAT]
JUDGE**

Whether speaking/reasoned *Yes/No*

Whether Reportable *Yes/No*