

**CRM-31811-2019 in/and
CRM-M-41082-2019**

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

**CRM-31811-2019 in/and
CRM-M-41082-2019
Date of decision-18.10.2019**

Vikas @ Vicky

....Applicant-Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Sanjay Vashisth, Advocate for the applicant-petitioner.

Mr. Sanjay Kumar Saini, AAG, Haryana assisted by
ASI Dinesh Kumar.

MANOJ BAJAJ, J.

CRM-31811-2019

Application is allowed as prayed for.

Annexures P-2 to P-4 are taken on record.

Main case

Petitioner-Vikas @ Vicky has filed this petition under Section 439 Cr.P.C for grant of regular bail in case FIR No.0187 dated 16.06.2019 under Sections 147, 148, 323, 365 and 379-B of Indian Penal Code, 1860 registered at Police Station Khol, District Rewari. The petitioner is in custody since his arrest on 26.06.2019.

The FIR was registered on the application moved by

complainant, namely, Satish with the allegations that on 13.06.2019, when he was coming back on his activa, then Babli Thekadar, Vikash and other fifteen persons who were on two wheelers and car, pulled the complainant from activa and gave beatings with sharp edged weapon, lathis and dandas. They also snatched scooty and Rs.12,300/- cash and abducted the complainant to the office of Babu Gurudwara near Abhay Singh Chowk. Thereafter, he was taken to kanwali ground where a person named Umang compelled the complainant to confess about smuggling of liquor and again gave beatings. With these broad allegations FIR was registered.

Learned counsel for the petitioner contends that the FIR is vague and does not contain the correct particulars. He submits that though the petitioner was named in the FIR but it was also mentioned that co-accused-Umang had brought three liquor crates and forced the complainant to confess the smuggling of liquor. It is pointed out that the said accused-Umang has already been released on regular bail by the trial Court. Learned counsel further contended that the other accused have already been released on bail. It is mentioned in the order granting the bail to the co-accused, a DDR dated 14.06.2019 already stands recorded against the complainant-Satish who was apprehended by Police along with three boxes of country made liquor.

On the other hand, learned State counsel assisted by ASI Dinesh Kumar opposed the bail application. However, this fact is not disputed that investigation of the case is complete and the challan has already been filed. He submits that the petitioner along with his co-accused including 15

unknown persons committed the alleged offences.

After hearing learned counsel for the parties, this Court is of the opinion that further custody of the petitioner may not be justified particularly when the investigation of the case is complete and co-accused have been extended the concession of regular bail. Further, trial of the case is likely to consume considerable time. Therefore, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court, Rewari.

The petition is allowed.

(MANOJ BAJAJ)
JUDGE

18.10.2019
vanita

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No