

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

CRM-M-41165 of 2019

Date of Decision: 19.10.2019

Mahabir and others

....Petitioner

Versus

State of Haryana

....Respondent

CORAM:HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Amit Khatkar, Advocate for the petitioners.

Mr. Arun Beniwal, DAG, Haryana.

Mr. Raman Chawla, Advocate for the complainant.

MAHABIR SINGH SINDHU, J.(Oral)

Present petition has been filed under Section 439 Cr.P.C. seeking bail pending trial in case FIR No. 150 dated 14.08.2019, under Sections 147, 148, 149, 323, 324, 326 and 506 of the Indian Penal Code registered at Police Station Bass, District Hisar.

Learned counsel for the petitioners wishes to withdraw the present petition qua petitioner No.3.

Dismissed as withdrawn, as prayed for.

Learned counsel for the petitioners submits that during investigation nothing incriminating has been recovered from petitioners No. 1 and 2 and they are old persons of 68 and 63 years respectively and in custody since 17.09.2019.

Learned State counsel on instructions from ASI Ramesh Chander has acknowledged the above fact and states that during investigation nothing incriminating has been recovered from petitioners No.1 and 2.

Learned counsel for the complainant has opposed the bail on the ground that petitioners No. 1 and 2 inflicted injuries to the complainant.

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

Since the petitioners No. 1 and 2 are aged 68 and 63 years respectively and investigation qua them is over. They are in custody since 17.09.2019 and challan has not yet been presented. The trial is likely to take a long time to be concluded, therefore, no useful purpose would be served by keeping them behind the bars any more.

In view of the above, without expressing any opinion on the merits of the case, this petition is accepted. Petitioners No. 1 and 2 namely, Mahabir and Vedpal @ Beda be admitted to bail on their furnishing bail bonds and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned.

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

October 19, 2019
rashmi

[MAHABIR SINGH SINDHU]
JUDGE

Whether speaking/reasoned
Whether reportable?

yes/no
yes/no