

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

226

CRM-M-47986-2019

Date of decision: 18.11.2019

Ankit

....Petitioner

versus

State of Haryana

....Respondent

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. Bijender Dhankar, Advocate
for the petitioner.

Mr. D.R. Singla, DAG, Haryana.

GIRISH AGNIHOTRI, J. (Oral)

The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail in case FIR No.271 dated 01.06.2019 (Annexure P-1), under Sections 323, 325, 341, 506, 367, 201, 148 & 149 of Indian Penal Code and Sections 3(i)(r)(s), 3(2)(va) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities), Act 1989, registered at Police Station Pehowa, District Kurukshetra.

Learned counsel for the petitioner submits that the investigation in the present case has been completed and the challan has also been presented on 30.08.2019. The case is now fixed for 27.11.2019 for framing of charges.

It is further the contention of the petitioner that in the FIR, there were no specific allegations alleging any defamatory remarks as per

Scheduled Castes and Scheduled Tribes (Prevention of Atrocities), Act 1989. It is also submitted that the driver of the tractor namely Jai Bhagwan has not stated in his statement that he made any efforts to stop the fight. It is lastly contended that it is a money dispute between the parties for which they have been falsely implicated.

On instructions from police official, learned State counsel has not disputed the factual position but opposed the prayer for bail.

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

Keeping in view that the petitioner is in custody since 15.06.2019, the trial of the case may take long time, no useful purpose will be served by keeping the petitioner in custody.

In view of the totality of the circumstances of the case and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

However, this order may not be construed as an expression of opinion on the merits of the case pending before learned trial Court.

(GIRISH AGNIHOTRI)
JUDGE

18.11.2019
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Whether speaking/ reasoned:
Whether Reportable:

Yes/No
Yes/No