

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

219

CRM-M No.50936 of 2019 (O&M)
DATE OF DECISION : 5th DECEMBER, 2019

Vinay & another

.... Petitioners

Versus

State of Haryana

.... Respondent

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

* * * *

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

Mr. Ripu Daman, AAG, Haryana.

* * * *

RAJBIR SEHRAWAT, J. (Oral)

The present petition has been filed by the petitioners under Section 439 Cr.P.C for grant of bail pending trial in case FIR No.217 dated 18.09.2019 registered under Sections 323, 506, 452, 427 & 34 IPC and 3(1)(r), 3(1)(s), 3(2)(va) of Scheduled Caste and Scheduled Tribes (Prevention of Atrocities Act), 1989 at Police Station Uchana, District Jind.

It is contended by counsel for the petitioners that the case against the petitioners is totally concocted by the complainant. Otherwise also, when the petitioners are alleged to have entered the house of the complainant, there is no allegation that they caused any injury to any person or that they actually committed any other improper act. In the second part of the complaint, the complainant himself is alleging that he had gone to the house of the petitioners. Therefore, the version of the complainant itself is not worth believing. In any case, the

petitioners are in custody since 29.09.2019. The investigation is already complete. The petitioners are not required for any investigation purpose.

On the other hand, learned counsel for the State, on instructions, submits that the petitioners had forcibly entered into the house of the complainant with an intention to assault the female folks. However, it is not disputed that no female was assaulted and that in the second part of the complaint; the complainant alleged that he himself had gone to the house of the petitioners. It is also not disputed that the petitioners are in custody since 29.09.2019 and that, at this stage, the petitioners are not required for any investigation purpose.

In view of the above, but without commenting upon merits of the case, the present petition is allowed. It is ordered that the petitioners be released on bail on their furnishing bail bonds/sureties to the satisfaction of the trial Court/Duty Magistrate.

5th DECEMBER, 2019
'raj'

(RAJBIR SEHRAWAT)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>