

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-7208-2020 (O&M)
Date of Decision:- 24.2.2020

Ashok @ Lota and another ... Petitioners

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Bhunesh Lakhera, Advocate, for the petitioners.

Mr. Ashok Singh Choudhary, Addl. A.G. Haryana.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioners seek grant of regular bail in case registered vide FIR No.354, dated 1.11.2019, Police Station Khol, District Rewari, under Sections 3(1)(r) & 3 (1)(S) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.
2. The FIR was lodged at the instance of Gyatri Devi wherein it has been alleged that previously i.e. on 5.7.2015, 3 boys had scaled the roof of their house and had attempted to abduct her daughter after gagging her mouth regarding which she had made a complaint to the

police and pursuant thereof the said three boys out of which one was named Ashok and two others were facing trial in the Court of Ms. Aparna Bhardwaj, Judicial Magistrate 1st Class, Rewari, wherein the complainant and her daughter had got their statements recorded. It is alleged that subsequently Mahesh s/o Raja Ram started harassing them and again issued threats of abducting her daughter. Ever since they had got their statements recorded in the Court the accused have been troubling them and had also pelted stones and had been hurling abuses after consuming liquor. The complainant further alleged that the said accused namely Mahesh Rao and Ashok and two other persons have been using objectionable words against their caste and used to hurl filthy abuses to the ladies.

3. Learned counsel for the petitioners has submitted that they have falsely been implicated in the present case and that their custodial interrogation is no longer required and in these circumstances they deserve to be released on bail.
4. Opposing the petition, learned State counsel has submitted that since challan is yet to be presented, no case for grant of bail is made out. It has however been informed that the petitioners stands acquitted in a case which was registered against them on an earlier occasion.
5. I have considered rival submissions addressed before this Court. Keeping in view the nature of allegations and the fact that the petitioners have been behind bars since the last about one month and are no longer required for any further investigation, the petition is accepted and it is ordered that petitioners be released on bail on their

furnishing bail bonds/surety bonds to the satisfaction of learned trial
Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

February 24, 2020
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(GURVINDER SINGH GILL)
JUDGE

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