

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

**CRM-M-18770-2020 (O&M)
Date of Decision : 31.07.2020**

Rahul Saini Petitioner

Versus

State of Haryana Respondent

CORAM : HON'BLE MR. JUSTICE RAMENDRA JAIN

Present : Mr. Himanshu Sharma, Advocate
for the petitioner.

Mr. Sumit Jain, Addl. A.G., Haryana.

RAMENDRA JAIN, J. (Oral)

Case has been taken up for hearing through video conferencing.

Through instant petition under Section 439 Cr.P.C. prayer has been made for grant of regular bail to the petitioner in a case arising from FIR No.119 dated 16.07.2019, registered under Sections 323, 325, 452, 307, 506, 201 IPC, at Police Station Rampura, District Rewari.

According to prosecution, on 11.07.2019, co-accused of the petitioner namely Rinku and Nitesh initially manhandled the complainant and his brother Sameer Khan, when Sameer Khan rejected their request to accompany them. Thereafter, Rinku and Nitesh, trespassing the house of complainant, slapped his mother. In the night, when complainant party was going to report the matter to police, aforesaid Rinku, Nitesh and two other young boys came out

side the house of complainant and gave him beatings. Rinku even caused two cement brick blows on the backside of the head of complainant.

Learned counsel *inter alia* contends that petitioner is not named in the FIR. He has falsely been implicated on the disclosure statement of co-accused which is a weak type of evidence. Co-accused Mandeep Singh @ Lavi has been enlarged on bail by a Coordinate Bench vide order dated 05.06.2020, passed in CRM-M-12657-2020. Petitioner is in custody since March, 2020. Conclusion of trial may take a sufficient long time. No useful purpose would be served by detaining the petitioner any more in jail.

On the other hand, learned State counsel vehemently opposed the grant of regular bail to the petitioner.

Considering the overall circumstances of the case and treating the case of petitioner on the same parity as that of his above-named co-accused Mandeep Singh @ Lavi, the petition is allowed. Consequently, petitioner Rahul Saini is ordered to be released on bail during pendency of trial, if not required in any other case, on his furnishing bail bonds and surety bonds to the satisfaction of Trial Court/Duty Magistrate concerned.

31.07.2020
mamta

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No