

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No.M-2297 of 2021 (O&M)

Date of Decision: 21.01.2021

...Petitioner(s)

Mukesh and another

Vs.

State of Haryana

...Respondent(s)

**CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA**

Present:- Mr.V. P. Sangwan, Advocate  
for the petitioners.

Ms. Gaganpreet Kaur, AAG., Haryana.

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**HARI PAL VERMA, J. (Oral)**

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

Prayer in the present petition filed under Section 439 of the Code of Criminal Procedure, 1973 is for grant of regular bail to the petitioners in case FIR No.0577 dated 15.12.2020 under Section 323, 342, 384, 506 read with Section 34 IPC registered at Police Station Sampla District Rohtak.

Learned counsel for the petitioners contends that the petitioners are in custody since 17.12.2020. He further submits that as per the FIR, the complainant who was preparing for recruitment in army. On 12.12.2020 the complainant was doing practice with his brother while running. Meanwhile, accused Mukesh son of Baba stopped him and had taken him to his hotel,

where Mukesh and his two sons and their two servants confined him. The complainant was tied and beaten and was compelled to bring money from his house through his brother. His father reached the spot with Rs. 10,000/- and they told him that matter would be settled for an amount of Rs.30,000/-. After payment of Rs. 10,000/-, his father assured that Rs.20,000/- will be paid later on. The video of his beating was also prepared.

Learned counsel for the petitioners submits that the alleged incident had taken place on 12.12.2020 but the FIR was registered on 15.12.2020, thus delay.

Learned State counsel on instructions from ASI Vijender has opposed the grant of bail to the petitioners on the ground that the complainant was given beatings as there was some money dispute between them.

Heard learned counsel for the parties.

Considering the fact that the petitioners are in custody since 17.12.2020, coupled with the fact that trial in the case may take long time, I deem it appropriate to release him on regular bail.

Accordingly, the present petition is allowed and the petitioners are admitted on regular bail, subject to furnishing of their bail bonds/surety bonds to the satisfaction of trial Court.

However, the observations made hereinabove shall not be construed as any expression on the merits of the case.

January 21, 2021

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Whether speaking / reasoned?

Whether reportable?

**( HARI PAL VERMA )**

**JUDGE**

Yes / No

Yes / No