

**213-2 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M No. 11248 of 2021 (O&M)

Date of Decision: 31.08.2021

Deepak

-Petitioner

Versus

State of Haryana

-Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Sant Lal Barwala, Advocate,
for the petitioner.

Mr. Manish Dadwal, A.A.G., Haryana.

RAJ MOHAN SINGH, J. (Oral)

The case has been taken up for hearing through video-conferencing.

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.628 dated 31.08.2020, registered under Sections 302, 323, 147, 148, 149 IPC and under Section 3 of Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act at Police Station Sadar Hisar, District Hisar.

As per prosecution case, complainant Leela Dhar alleged that on 30.08.2020, at about 8.30 PM, Vinod and Jatin were brutally beaten up with dandas by Kuldeep, Sandeep, Sunder, Surinder, Deepak, Dalbir and Ishwar (total 7 in

number). Accused except Dalbir were arrested on 31.08.2020. Thereafter, Sonu was implicated on the basis of disclosure statement of Sandeep and Dalbir was found to be innocent.

Learned counsel for the petitioner has relied upon statements of Leela Dhar and Mukesh as PW1 and PW2 to contend that the complainant party has resiled from its stand. The complainant party has not supported the case of prosecution. Despite the cross-examination conducted by Public Prosecutor, nothing incriminating could be extracted.

This fact has been admitted by learned State counsel who submits that the complainant party has resiled from its stand.

Petitioner is in custody since 31.08.2020.

01.09.2021 is the date fixed for examination of remaining prosecution witnesses.

Looking to the aforesaid facts and in view of the situation arising out due to COVID-19 pandemic and without adverting to the merits of the case, I deem it appropriate to enlarge the petitioner on regular bail.

In view of above, petition is allowed. Petitioner is ordered to be released on regular bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court/concerned Duty Magistrate.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

31.08.2021

Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE

- 1. Whether speaking/reasoned : Yes/No
- 2. Whether reportable : Yes/No