

**CRM-32692-2021 in/and  
CRM-M-37830-2021 and connected matters**

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**125 (3 cases)**

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

**Date of Decision: 30.09.2021**

**1. CRM-32692-2021 in/and  
CRM-M-37830-2021**

**Gaurav @ Gauri  
Vs.**

**.. Petitioner**

**State of Haryana**

**..Respondent**

**2. CRM-32693-2021 in/and  
CRM-M-37952-2021**

**Manish**

**.. Petitioner**

**Vs.**

**State of Haryana**

**..Respondent**

**AND**

**3. CRM-32666-2021 in/and  
CRM-M-37926-2021**

**Prince**

**.. Petitioner**

**Vs.**

**State of Haryana**

**..Respondent**

**CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ**

**Present: Mr. Prashant Singh Chauhan, Advocate  
for applicant-petitioners.**

**Mr. Sukhdeep Parmar, DAG, Haryana.**

**...**

**Manoj Bajaj, J. (Oral)**

**CRM-32692-2021, CRM-32693-2021 and  
CRM-32666-2021**

**These applications are for pre-poning the date of hearing of the  
main petitions to an early date.**

**Notice in the applications.**

**At this stage, Mr. Sukhdeep Parmar, DAG, Haryana, accepts**

notice on behalf of the respondent-State and does not oppose the prayer.

Applications are allowed and the date of hearing is pre-poned to today.

CRM-M-37830-2021, CRM-M-37952-2021 and  
CRM-M-37926-2021

Petitioners have filed these separate petitions under Section 439 Cr.P.C for grant of regular bail, pending trial in case FIR No.15 dated 15.01.2021 under Sections 147, 148, 149, 323, 364 and 506 Indian Penal Code, 1860 (Section 325 IPC added later on) registered at Police Station Model Town, Rewari, District Rewari (Haryana). Petitioners are in custody since their arrest on 15.01.2021, 24.02.2021 and 17.01.2021 respectively.

Brief facts of the prosecution case are that on 14.1.2021, complainant Mohit Mehandiratta gave a statement before the police in which he alleged that a quarrel had taken place between him and one Mohit Sharma son of Brij Bhushan, resident of Adarsh Nagar, Rewari and a criminal case was registered against him (complainant) regarding that quarrel and he is on bail in that case. The complainant further alleged that on 13.1.2021, he and his sister Divya had gone to the market situated at Sector-4, Rewari on motor-cycle. At about 6:00 p.m., a white coloured Bolero vehicle, which was being driven by Gaurav (petitioner), reached there and from that vehicle, Prince, Krishna, Dipanshu and Babu alias Parvesh came out. When they all tried to catch hold the complainant, he ran away and all the assailants chased him, as a result of which he fell down. All the assailants caught hold the complainant and they all gave merciless beatings to him with legs and fist blows. Thereafter, all the above said accused persons put him in the Bolero vehicle and they again gave beatings

Sharma. There, Babu @ Parvesh and Habdu, who were on bike, inflicted injuries on his legs with iron rods and then Prince, Krishan and Dipanshu hit him on his hands and feet with stones lying there. Then they again picked him up from there and put in Bolero car and threw him in the empty space behind Trauma Center GH Rewari and they ran away in their car from there. On these broad allegations, the formal FIR was registered.

Learned counsel for the petitioners submits that the main accused are Babu @ Parvesh and Habdu, who gave iron rod blow on the legs of the complainant, and co-accused of the petitioners, namely, Dipanshu Nandwani and Krishan @ Krishna have already been released on regular bail vide order dated 24.09.2021 and 27.07.2021 respectively. According to him, the case of the petitioners is also at par with co-accused Dipanshu Nandwani. He submits that petitioner Manish was not named in the FIR, who was indicted as an accused on the basis of disclosure statement suffered by co-accused. He prays for bail.

Learned State counsel assisted by ASI Dinesh Kumar does not dispute this fact that the case of the petitioners, namely, Manish and Price is at par with co-accused Deepanshu Nandwani, but according to him, the role attributed to Gaurav @ Gauri is slightly distinguishable. According to him, accused Gaurav @ Gauri had put the victim in his car and had also given fist and kick blows to the said injured. According to him, though the charges were framed on 27.07.2021, but no prosecution witness has been examined so far out of total 14 prosecution witnesses.

After hearing the learned counsel for the parties, this Court finds that though the charges were framed on 27.07.2021, but the trial is yet to commence, therefore, it is evident that the conclusion of trial would take

considerable time. Apart from it, the co-accused of the petitioners have been released on regular bail, thus, the further detention of the petitioners behind the bars may not be necessary for any useful purpose, who are presently confined in judicial custody after their arrest.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioners be released on regular bail in the above case, subject to their furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

The petitions are allowed.

30.09.2021  
Jasmine Kaur

(MANOJ BAJAJ)  
JUDGE

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|---------------------------|-----|----|
| Whether speaking/reasoned | Yes | No |
| Whether reportable        | Yes | No |