

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

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CRM-M-4615-2022 (O&M)

Date of Decision: 20.04.2022

ANIL ALIAS SONU MEHRA

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Raman Chawla, Advocate for the petitioner.

Mr. Surender Singh, AAG, Haryana.

HARNARESH SINGH GILL, J.(Oral)

Through this petition, the petitioner seeks regular bail in case bearing FIR No.773 dated 17.11.2021, registered under Sections 147, 148, 323, 342, 506, 384, 388 IPC, at Police Station HTM, District Hisar, Haryana.

Status report by way of an affidavit dated 17.03.2022 of the Deputy Superintendent of Police, Hisar-I, Hisar, filed on behalf of the respondent-State, in the Registry, is taken on record.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case, merely on the assertion that there was some dispute between the complainant and two other persons, namely, Sampat and Seema @ Riya; that no role has been attributed to the petitioner and that there is a delay of one year in lodging the present FIR, as the occurrence took place on 14.11.2020, whereas the FIR was registered on 17.11.2021. He further submits that on 18.06.2020, husband of Seema (co-accused) had filed a complaint against Umesh (the present complainant) and that the present FIR is a counter-blast to the

said complaint. Still further, it is submitted that the petitioner is just a friend of Seema; that the petitioner cannot even be seen in the vide clip recorded in the Pen Drive and that the petitioner has been in custody since 23.12.2021.

Per contra, while opposing the prayer for grant of regular bail to the petitioner, learned State counsel does not dispute the custody period of the petitioner. He, however, submits that the petitioner had actively participated in the occurrence, inasmuch as, he gave beatings and threats of involving the complainant in a false rape case. He further submits that post framing of the charges, prosecution evidence is yet to commence.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 23.12.2021. No specific role has been attributed to the petitioner. Co-accused Seema has been enlarged on bail by this Court vide order of the even date. Prosecution evidence is yet to commence. In such circumstances, the trial of the case would take a long time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above and without commenting anything on the merits of the case, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

20.04.2022

Aman Jain

(HARNARESH SINGH GILL)
JUDGE

Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*