

210 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Neutral Citation No. 2023:PHHC:064178
CRM-M-16520-2023
Date of Decision: May 04, 2023

Ramesh @ Lambu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Jangvir S. Hooda, Advocate for the petitioner.
Mr. Randhir Singh, Addl. A.G., Haryana.

DEEPAK GUPTA, J.(Oral)

Status report by way of affidavit of Shri Vijay Pal, Deputy Superintendent of Police, Palwal, on behalf of respondent-State has been filed.

Petitioner has prayed for grant of regular bail in case FIR No.502, dated 14.12.2022, registered at Police Station Chandhut, District Palwal, under Sections 148, 149, 323, 341, 365, 377, 384, 379-A, 506, 201 of IPC and Section 25 of the Arms Act, 1959 and Sections 66-E, 67, 67-A of I.T. Act, 2000.

Allegations as per the FIR are that on 06.04.2020, six persons including petitioner Lambu (alias name Ramesh) had quarreled with Kailash. Police had arrested Kailash and all accused took the petitioner as informer of Kailash and so he was given beatings. On 19.08.2020 on way to his village, all the accused including petitioner allegedly again waylaid complainant Manish. Assailants were armed with weapons. It is alleged that complainant Manish was given beatings and unnatural act was performed with him. Not only this, video on the mobile was prepared of this wrong act and accused also snatched his money. It is further alleged that later on petitioner and three others

started blackmailing the complainant so as to not to make the video viral.

It is submitted by counsel for the petitioner that although the alleged occurrence took place on 19.08.2020, but the FIR has been lodged on 14.12.2022, i.e. almost after two years and 4 months. It is contended further that allegations against the petitioner are false as even as per the police report, three persons namely, Pardeep @ Golu, Jaipal and Suraj were found to be not involved in the commission of the offence. So they were let off the case. Counsel submits that petitioner is in custody for the last more than 4 months and so he be allowed bail.

Opposing the bail petition, learned State counsel not only pointed out towards the gravity of the offence, but the fact that video clip of the occurrence was screened, in which three persons were heard abusing and urinating over the victim. However, learned State counsel concedes that there is no mention in the police report that the persons, who were allegedly heard abusing and urinating over the victim, included the petitioner.

Having considered submissions of both the sides and the fact that petitioner is in custody for the last more than 4 months; and that the trial may take time to conclude, and also the fact of delay in lodging the FIR, but without commenting further on the merits of the case, petitioner is admitted to bail. He is ordered to be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of learned Trial Court.

Allowed.

May 04, 2023
sarita

(DEEPAK GUPTA)
JUDGE

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