

221 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-54988-2023

Date of Decision:09.11.2023

Mangat Ram

...Petitioner

vs.

State of Haryana

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Paramjit Singh Jammu, Advocate,
for the petitioner.

Mr. Gaurav Gurcharan Singh Rai, DAG, Haryana.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 439 of the Cr.P.C. with a prayer to grant regular bail to him in case FIR No.259 dated 15.04.2023 registered under Sections 147, 148, 323, 452, 395 and 506 read with Section 149 of IPC, at Police Station City Sirsa, District Sirsa.

2. The FIR in the present case was registered on the basis of the statement made by Lalan Yadav son of Tula Yadav, by alleging that at about 10.50 p.m. on 14.04.2023, he was taking rest in Ambar Hotel and 7-8 unknown persons came there duly armed and attacked on him. During the scuffle, the mobile phone make Vivo of the complainant carrying SIM No.95184-10789 was not found and it had fallen during the fight. He requested for taking legal action against 7-8 unknown persons and with these broad allegations, the FIR in the present case was registered.

3. Learned counsel for the petitioner contends that similarly placed co-accused Kuldeep Singh, Sachin and Vishal have been granted the concession

of bail by this Court in CRM-M-36725 of 2023 titled as Kuldeep Singh Vs. State of Haryana, decided on 12.09.2023, CRM-M-48577-2023 titled as Sachin Vs. State of Haryana, decided on 04.10.2023 and CRM-M-49496-2023, titled as Vishal Vs. State of Haryana, decided on 06.10.2023, respectively. He further contends that the petitioner was arrested in the present case on 10.07.2023 and challan has already been presented before the Court. He further contends that a recovery of Rs.500/- and a danda has been planted on the present petitioner in the instant case.

4. On the other hand, learned State counsel has vehemently opposed the prayer made by learned counsel for the petitioner on the ground that there are serious allegations against him.

5. I have heard learned counsel for the parties and perused the record.

6. It is not in dispute that three other similarly placed co-accused, namely, Kuldeep Singh, Sachin and Vishal have already been granted the concession of bail by this Court vide orders dated 12.09.2023, 04.10.2023 and 06.10.2023, respectively. Moreover, the petitioner is in custody for the last about four months and his further incarceration will not serve any meaningful purpose.

7. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

09.11.2023

hemlata

(N.S.SHEKHAWAT)

JUDGE

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