

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

CRM-M-26083-2015

Date of decision: 18.08.2015

Amit

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. U.K. Agnihotri, Advocate
for the petitioner.

Mr. Ashish Yadav, Addl. AG, Haryana.

RAMESHWAR SINGH MALIK, J. (ORAL)

Petitioner seeks bail pending trial in FIR No.295 dated 27.06.2014 under Sections 302, 120-B IPC and Section 25 of Arms Act, registered at Police Station Kharkhoda, District Sonapat.

Learned counsel for the petitioner places reliance on the order dated 20.07.2015 passed by this Court in CRM-M-19529-2015 (Satbir Singh Vs. State of Haryana) to contend that the case of the present petitioner is similar one. Except the general allegations, neither any injury has been attributed to the petitioner nor any weapon has been alleged against him. He prays for allowing the present petition.

On the other hand, learned counsel for the State, on instructions from ASI Satish Kumar, Police Station Kharkhoda, District Sonapat, submits that petitioner is the real brother of the main accused namely Ankit. Petitioner had a strong motive to commit the crime in question. He prays for dismissal of the present petition.

Having heard the learned counsel for the parties, after careful perusal of the record of the case and giving thoughtful consideration to the contentions raised, this Court is of the considered opinion that in the peculiar facts and circumstances of the case noticed hereinabove, petitioner has been found entitled for bail pending trial. No specific role has been attributed to the petitioner. Neither any injury nor any weapon has been alleged against the petitioner. Further, despite the fact that a time of more than one year has been gone by, prosecution evidence is yet to start because of which conclusion of the trial will take some time. Petitioner has been found identically placed with his co-accused Satbir Singh who was granted bail by this Court vide abovesaid order dated 20.07.2015.

In view of the above and without commenting anything further on merits at this stage, lest it should prejudice the rights of either of the parties, present petition is allowed. Petitioner is directed to be released on bail pending trial on his furnishing adequate bail bonds/surety bonds to the satisfaction of learned trial Court.

Disposed of, accordingly.

[RAMESHWAR SINGH MALIK]
JUDGE

18.08.2015
vishnu