

CRM-M-3780-2015

Date of decision: May 05, 2015

AMIT

....Petitioner

Versus

STATE OF HARYANA

....Respondent

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Ram Avtar Sheoran, Advocate
for the petitioner.Mr. Vikramjit Singh, Addl. A.G., Haryana
for the respondent-State.**JASPAL SINGH, J.(ORAL)**

This petition has been preferred by petitioner-Amit under Section 439 of Code of Criminal Procedure (for short 'Cr.P.C.' only) seeking bail in case FIR No.381 dated 21.07.2012, under Sections 302, 452, 120-B, 202 and 34 of Indian Penal Code (for short 'IPC' only) and 29, 54 and 59 of Arms Act registered at Police Station Sadar Bhiwani, District Bhiwani.

It is an undisputed fact that neither the name of the petitioner is mentioned in FIR nor in the statement of Surrender who is the nephew of author of FIR and eye witness of the incident. The author of FIR Ram Mehar is no more. Petitioner was nominated as an accused on the basis of the disclosure statement suffered by his co-accused/Sachin @ Golu. Petitioner was arrested in this case on 31.07.2012 and subjected to custodial interrogation. Challan has already been presented, the disposal of which is likely to take sufficient long time. Moreover, co-accused of the petitioner namely

Jitender @ Bittu has already been granted the concession of bail vide order dated January 15, 2015 passed in CRM-M-24737 of 2014. Similarly, another co-accused/Sukhchain and Dharmender who were also similarly situated have already been granted the concession of pre-arrest bail. Not only this, even Narender @ Banti has already been allowed regular bail by this Court vide order dated March 20, 2015 passed in CRM-M-30164 of 2014.

Taking into consideration the above-said aspects of this case and without expressing any opinion on merits, petition is allowed and petitioner-Amit is ordered to be released on regular bail subject to his furnishing bail bonds/surety bonds at the satisfaction of trial Court/Chief Judicial Magistrate, District Bhiwani.

May 05, 2015
m. sharma

(JASPAL SINGH)
JUDGE