

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

CRM-M-21597 of 2016 (O&M)

Date of decision : 13.07.2016

Amir

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Jamshed Ahmed, Advocate
for the petitioner.

Mr. Naveen Kaushik, Addl. A.G., Haryana

Mr. Aditya Jain, Advocate
for the complainant.

JITENDRA CHAUHAN, J. (Oral)

This is 5th petition filed under Section 439 of the Code of Criminal Procedure (for short, 'the Cr.P.C.') for seeking regular bail in case FIR No.373 dated 17.11.2012, registered under Sections 323, 325 and 302 read with Section 34 of the Indian Penal Code (for short 'the IPC'), at Police Station Hathin, District Palwal.

The learned counsel for the petitioner states that the petitioner has been falsely implicated in the present case. The petitioner is in custody since November, 2012 and co-accused, namely, Abid and Abbas have been granted bail by this Court.

The learned State counsel submits that there are specific allegations against the petitioner in the FIR and opposes the present bail

application.

I have heard the learned counsel for the parties and carefully perused the entire record on file.

The last bail application filed by the petitioner was dismissed as withdrawn on 06.10.2015. The trial is going on. The petitioner is one of the main accused. There are specific allegations against the petitioner that he threw the deceased-Makhmul into the canal and while the deceased was trying to come out of the canal, the petitioner gave a lathi blow to the deceased.

No case for bail is made out at this stage.

Dismissed.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

13.07.2016

ashok

**(JITENDRA CHAUHAN)
JUDGE**