

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc. No. M-27693 of 2016

Date of decision : October 17, 2016

Amit

....Petitioner

versus

State of Haryana

....Respondent

Coram: Hon'ble Mr. Justice Fateh Deep Singh

Present : Mr. Jainainder Saini, Advocate, for the petitioner
Mr. Deepak Sabharwal, Addl. AG, Haryana, for the respondent

Fateh Deep Singh, J. (Oral)

The allegations against petitioner Amit in this regular bail application under section 439 Cr.P.C. are that on 13.3.2016 at 9.30 PM, the petitioner was sitting in a vehicle being driven by him when the other occupants came out of the vehicle and followed deceased Subhash Kumar and caused injuries to him leading to his death.

The contention of counsel for the petitioner is that there is no semblance of evidence against the petitioner except statement of his co-accused regarding which legality and validity are debatable issue. The factual position is conceded by the learned State counsel who has readily accepted the same and submitted that till date nothing has come by way of any evidence to attribute any role to the petitioner. The petitioner is in custody since 25.3.2016.

Keeping in view the substantive period of incarceration and the fact that the trial is not likely to be concluded in near future, without advertent to the merits of the case, the instant application is allowed. Bail to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate,

The present petition stands disposed off accordingly.

October 17, 2016

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**(Fateh Deep Singh)
Judge**

Whether speaking/reasoned ?

Yes/No

Whether Reportable ?

Yes/No