

207.

CRM-M-14016-2018

Jagdish alias Jagga vs. State of Haryana

Present: Mr.K.L.Saini, Advocate,
for the petitioner.

Mr. Baljinder Singh Virk, D.A.G., Haryana.

Pursuant to the order of this Court date 17.04.2018, an affidavit of Sh.Surender Singh Bhoria, SSP, Karnal, has been filed in Court today by the learned State counsel, a copy of which has been given to learned counsel for the petitioner.

As per the said affidavit the CCTV footage in the ATM was not made part of the final report submitted before the trial Court as the faces shown in the footage were not clear.

On query to learned State counsel as to whether, even before the police, the petitioner had been identified by the complainant, he submits that the complainant was called once by the police to join investigation but she being out of station did not come, after which the report under Section 173 Cr.P.C., was submitted, on the basis of the confessional statement of the petitioner, stated to have been made before the police after he was arrested in another case.

That being so, and the petitioner having been in custody for the past 3 months, this petition is allowed, with the petitioner ordered to be admitted to bail, on his furnishing adequate bail and surety bonds to the satisfaction of the trial Court.

Nothing stated hereinabove shall be taken to be an observation of this Court on the merits of the case for or against the petitioner, which would be gone into by the trial Court wholly on the basis of the evidence led before it.

Disposed of.

April 30, 2018

dharamvir

**(AMOL RATTAN SINGH)
JUDGE**