

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

**CRM-M No.37701 of 2019 (O&M)
Date of Decision: 11.09.2019**

Amit @ Meeta

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Deepak Kumar, Advocate for the petitioner.

Mr. Rahul Mohan, Deputy Advocate General, Haryana
for the respondent/State.

MAHABIR SINGH SINDHU, J. (Oral)

Present petition has been filed under Section 439 Cr.P.C. for grant of bail pending trial to the petitioner in case bearing FIR No.75 dated 14.04.2019, under Sections 379B, 427, 452, 147, 149, 188, 506 of the Indian Penal Code, 1860 and Section 27 of the Arms Act, 1959, registered at Police Station Narwana Sadar, District Jind.

Contentends that petitioner is not named in the FIR, rather he has been nominated on the basis of disclosure statement made by co-accused Manoj on 28.04.2019 i.e. after two weeks from the date of occurrence. Also contends that there is no other criminal case pending against the petitioner. Further contends that after investigation, challan has already been presented; charges were framed on 31.07.2019; case is pending for 30.10.2019 for prosecution evidence and no prosecution witness has been examined till date.

The above factual position is duly acknowledged by learned State Counsel on instructions from ASI Azad Singh, but opposed the bail application.

Heard both sides and perused the paper-book.

Since the investigation is already over and there is no other criminal case pending against the petitioner. Also to be noted that petitioner has been named as an accused only on the basis of disclosure statement, suffered by co-accused Manoj after a period of two weeks from the date of occurrence, therefore, there is no justification to keep the petitioner behind the bars any more. Consequently, without expressing any opinion on the merits of the case, the present petition is allowed. Petitioner be admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/Duty Magistrate concerned.

The above observations may not be construed as an expression of opinion on the merits of the case.

It is clarified that in case there is any recurrence on the part of the petitioner, State of Haryana would be at liberty to move an appropriate application for recalling of this order.

September 11, 2019
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No