

Sr. No.201/2

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

CRM-M-37576-2019

Date of decision:19.10.2019

Amit Kumar

..... Petitioner

versus

State of Haryana

.....Respondent

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Kamal Mor, Advocate and
Mr. Devender Arya, Advocate
for the petitioner.

Mr. M.K.Sangwan, DAG, Haryana.

Rajbir Sehrawat, J(Oral)

Present petition has been filed for seeking bail pending trial in FIR No.471, dated 21.09.2018 for the offences punishable under Sections 148, 149, 323, 325, 506 of IPC and later on added Section 302 IPC, registered at Police Station Model Town, District Rewari

Learned counsel for the petitioner contends that the case against the petitioner is an after-thought by the complainant. In the first instance, the petitioner was not even named by the complainant. His name has been included in the case subsequently; only because he was seen passing through that place; in some CCTV footage. However, that place is a public passage leading to the bus stand of the city. Therefore, no motives can be attributed to the petitioner only for being present at the spot. Otherwise, there is no specific allegation levelled against the petitioner. No specific injury; as such; is attributed to the petitioner, as having been caused to the deceased. It is further contended by learned counsel for the petitioner that the petitioner is in custody since 25.09.2018. There is no other case

against the petitioner. The petitioner is no more required for investigation purposes.

On the other hand, State counsel, being instructed by SI Rohtas Singh does not dispute the fact that no specific injury to the deceased has been attributed to the petitioner. It is not denied that the petitioner is in custody since 25.09.2018 and that there is no other case against the petitioner.

In view of the submissions made by learned counsel for the petitioner, but without commenting upon the merits of the case, the petition is allowed. Petitioner is granted the concession of bail pending trial. He be released on bail pending trial subject to furnishing bail bonds/surety to the satisfaction of the concerned Trial Court/Duty Magistrate.

19th October, 2019

Shivani Kaushik

**[RAJBIR SEHRAWAT]
JUDGE**

Whether speaking/reasoned *Yes/No*

Whether Reportable *Yes/No*