

S.No.233

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

CRM-M-48667 of 2019 (O&M)

Date of Decision:21.11.2019

KrishanPetitioner

Vs.

State of HaryanaRespondent

CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Ravinder Hooda, Advocate for the petitioner.

Mr. Manoj Kumar Sangwan, DAG, Haryana.

Rajbir Sehrawat, J.(Oral)

The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of bail pending trial in case FIR No.99 dated 05.03.2019 registered under Sections 307, 323, 341, 506/34 IPC at Police Station City Gohana, District Sonapat.

It is contended by learned counsel for the petitioner that the case against the petitioner is totally concocted. Even as per the allegations, the injury inviting Section 307 IPC is not attributed to the petitioner. The only allegation is that the petitioner was present with the other co-accused at that time and also giving beatings. Still further, it is submitted that the petitioner is in custody since 10.03.2019 and that there is no other case against the petitioner.

On the other hand, learned State Counsel, being instructed by ASI Rajesh, submits that the actual participation of the petitioner in the crime has been duly established. The motor-cycle used in the crime has been recovered at the instance of the petitioner. However, it is not disputed that the petitioner is in custody since 10.03.2019 and that there is no other case against the petitioner. It is also not disputed that the injury inviting

Section 307 IPC is not attributed to the petitioner.

In view of the above, but without commenting upon merits of the case, the present petition is allowed. It is ordered that the petitioner be released on bail on his furnishing bail bonds/ sureties to the satisfaction of the trial Court/ Duty Magistrate.

November 21, 2019

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(RAJBIR SEHRAWAT)

JUDGE

Whether Speaking/reasoned

Yes/No

Whether Reportable

Yes/No