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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-11842 of 2020
Date of decision: 16.07.2020

Umesh Kumar

.....Petitioner

V/s.

State of Haryana

.....Respondent

CORAM: - HON'BLE MR. JUSTICE SANJAY KUMAR

Present: Mr. Bhisham Kumar Majoka, Advocate, for the petitioner.

Mr. Anant Kataria, Deputy Advocate General, Haryana.

Sanjay Kumar, J.

The petitioner is one of the accused in FIR No. 343 dated 23.07.2019 on the file of Police Station S.G.M Nagar, Faridabad, District Faridabad, registered under Sections 323, 34, 354-A, 354-B and 506 IPC. By way of this petition, he seeks anticipatory bail under Section 438 Cr.P.C.

The petitioner claims that he was not even present at the spot on the relevant date as he was at NOIDA, Uttar Pradesh, in connection with an examination. This alibi claim of the petitioner would have to be examined by the police. That apart, it appears that the co-accused of the petitioner has already been granted regular bail, subject to conditions. The allegation levelled against the co-accused was more serious than that made against the petitioner.

In that view of the matter, the petitioner would also be entitled to relief at this stage, subject to conditions.

The petition is accordingly allowed directing the release of the petitioner on bail in the event of his arrest in FIR No. 343 dated 23.07.2019 on the file of Police Station S.G.M Nagar, Faridabad, District Faridabad, subject to the petitioner furnishing a personal bond for a sum of Rs. 40,000/- along with two sureties for a like sum each to the satisfaction of the Investigating/Arresting Officer. The petitioner shall join and co-operate with the investigation and shall abide by all the other conditions prescribed under Section 438(2).

(SANJAY KUMAR)
JUDGE

16.07.2020

rakesh

whether speaking/non speaking

:

Yes/no

whether reportable/non reportable

:

Yes/no