

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

211/2

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IN VIRTUAL COURT

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**CRM-M No. 13664 of 2020
Date of decision : 13.7.2020**

Krishan Kumar @ Anuj

.....Petitioner

Vs.

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. G.C. Shahpuri, Advocate, for the petitioner

Mr. Anmol Malik, DAG, Haryana

Mr. Baljeet Beniwal, Advocate, for the complainant

Rajbir Sehrawat, J. (Oral)

This petition has been filed by the petitioner under Section 439 of Cr.P.C. for grant of bail pending trial in case FIR No. 8 dated 8.1.2020, registered under Sections 325, 341, 379B, 506, 34 and 120B IPC and Section 25 of Arms Act, 1959, at Police Station Hodal, District Palwal.

It is contended by the counsel for the petitioner that the case against the petitioner is totally concocted. The petitioner was not named in the FIR. On the contrary, one Sandeep was named by the complainant. However, the police have declared the said Sandeep to be innocent; qua the allegations; on the basis of affidavit furnished by the complainant himself. Still further, it is submitted that the petitioner is in custody since 18.1.2020. Challan has already been filed in this case. Therefore, the petitioner is not required for any investigation purposes. Hence, the petitioner deserves to be released on bail.

Notice of motion.

Mr. Anmol Malik, DAG, Haryana, accepts notice on behalf of the State.

Learned State counsel, on instructions from SI Akhtar Hussain, submits that the name of the petitioner has surfaced during the investigation. A recovery of Rs.2000/-has been effected from the petitioner. However, it is not disputed that original accused Sandeep has been found innocent and that no weapon of any kind has been recovered from the petitioner.

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

(RAJBIR SEHRAWAT)
JUDGE

13.7.2020

Ashwani

Speaking/Reasoned	:	Yes/No
Reportable	:	Yes/No