

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

(Proceedings conducted through video Conference)

214

CRM-M-15454-2020 (O&M)

Date of decision: 16.07.2020

ANIL

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present : Mr. Vinod S. Bhardwaj, Advocate for the petitioner.
Mr. Apoorv Garg, DAG, Haryana

REKHA MITTAL, J. (Oral)

CRM-16453-2020

Heard.

Allowed as prayed for. Annexures P3 and P4 are taken on record, subject to just exceptions.

Disposed of.

Main Case

Anil, accused in FIR No.288 dated 24.07.2019 registered at Police Station Pinjore, District Panchkula for offence under Sections 323, 384 and 506 read with Section 34 IPC (offence under Sections 120B, 148, 149 and 302 IPC and Section 3 of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, added later) prays for grant of regular bail, pending trial.

Counsel for the petitioner would argue that petitioner is in custody since 19.08.2019. He was arrested on the basis of disclosure statement made by co-accused. It is further argued that even as per statements made by co-accused Gaurav Rana and Naseem, petitioner did not cause any injury to deceased Satish. It is further argued that no useful purpose would be served by detaining the petitioner in custody since conclusion of trial is likely to take its own time.

Counsel representing State of Haryana has not disputed the factual submissions but opposed the bail application with the submission that petitioner acted as a guard at the time when Satish was attacked by co-

accused in the case and received fatal injuries.

Concededly, the petitioner has not been attributed any injury sustained by deceased Satish. He has been attributed role being person at the scene of crime when co-accused in the case caused injuries to victim. The petitioner is in judicial custody. The conclusion of trial is likely to take its own time. There is no allegation that petitioner is likely to misuse concession of bail, if so allowed or is likely to flee from process of justice in case enlarged on bail.

Without meaning to express any opinion on merits of the controversy, bail to the petitioner subject to his furnishing bail bonds to the satisfaction of trial Court/Additional Sessions Judge (on duty), Panchkula. However, he shall abide by the following conditions:-

(i)He shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer; and

(ii)He shall not leave India without previous permission of the Court.

Disposed of.

(REKHA MITTAL)
JUDGE

16.07.2020
ashok

Whether speaking/reasoned:
Whether reportable:

Yes / No
Yes / No