

CRM-M-17273-2020

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(PROCEEDINGS THROUGH V.C.)

CRM-M-17273-2020

Date of Decision: 20th July, 2020

Yash @ Fatu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present Mr. Naveen Thakur, Advocate
for the petitioner.

Mr. Sumit Jain, Addl. A.G., Haryana.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioner has approached this Court for grant of regular bail by filing this petition under Section 439 of the Code of Criminal Procedure, 1973, in FIR No.259, dated 04.06.2019, registered at Police Station Indri, District Karnal, under Sections 307, 436 and 34 of the Indian Penal Code.

It is the contention of the learned counsel for the petitioner that similarly placed co-accused of the petitioner, namely Suraj, has been granted the concession of regular bail by this Court vide order dated 03.06.2020 passed in CRM-M-12401-2020, titled as 'Suraj Vs. State of Haryana' (Annexure P-3). He contends that the role of the petitioner is identical as the said person and therefore, the petitioner is entitled for the same relief.

Counsel for the State, on the other hand, contends that it is on

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the basis of a CCTV footage that the petitioner has been identified at a subsequent date by the complainant and on the basis of his supplementary statement, petitioner has been arrested along with Suraj. He contends that since that name of the petitioner had come subsequently, he has been arrested. He, however, could not dispute the fact that the petitioner is similarly placed as co-accused Suraj. The next date of hearing before the trial Court is 30.07.2020.

Having considered the submissions made by the learned counsel for the parties and keeping in view the fact that similar placed co-accused of the petitioner, namely Suraj, has been granted regular bail by this Court vide order dated 03.06.2020 passed in CRM-M-12401-2020, titled as 'Suraj Vs. State of Haryana' (Annexure P-3) as also the fact that the trial is not likely to conclude in near future, this criminal miscellaneous petition is allowed. Petitioner is ordered to be released on bail subject to his furnishing bail and surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate, Karnal.

Any observation made herein-above shall have no bearing on the merits of the case during the trial in any manner.

(AUGUSTINE GEORGE MASIH)
JUDGE

20th July, 2020
Harish

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No