

CRM-M-21129 of 2020

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

CRM-M-21129 of 2020
Date of Decision: 31.07.2020

Amit @ Mita @ Mitu

...Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present:- Mr. Sukesh K. Jindal, Advocate, for the petitioner.
Mr. Sumit Jain, Addl. A.G., Haryana.

RAMENDRA JAIN, J. (ORAL)

Case has been taken up for hearing through video conferencing due to pandemic Covid-19.

Through instant second petition under Section 439 Cr.P.C. prayer has been made for grant of regular bail to petitioner – Amit @ Mita @ Mitu – in a case arising from FIR No.33 dated 28.01.2017 registered under Sections 323, 332, 353, 365, 395, 307, 302 IPC and Section 25 of the Arms Act, 1959 at Police Station Sadar, Sonipat.

According to the prosecution, in the evening of 27.01.2017, petitioner and his companions, namely, Amarjeet, Ashu, Tobar, Paramjeet alias Parma, Sumeet and Nitin caused several injuries to Taqdeer son of the complainant near bus stop of the village and fled away from the spot. Injured Taqdeer was brought home on the advice of the police to take action against the assailants on the next morning. However, in the midnight, four assailants, two of whom were addressing each other as Sumit and Nitin entered the house of the complainant by scaling wall and caused firearm

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injuries to Taqdeer and 3-4 more persons sleeping in the house, on account of which Taqdeer died.

Learned counsel for the petitioner *inter alia* contends that petitioner was not named in the FIR. No role has been attributed to him. He is in custody since 12.05.2017. Conclusion of trial may take sufficient long time. No useful purpose would be served by detaining the petitioner in jail any more. Co-accused of the petitioner, namely, Ravinder @ Tobar, Paramjeet alias Parma and Manjeet have been enlarged on regular bail by this Court vide orders dated 24.07.2020, 04.12.2018 and 15.02.2019 passed in CRM-M-7821 of 2020, 43288 of 2018 and 5995 of 2019, respectively. Therefore, treating the case of the petitioner on the same party, he may also be granted concession of regular bail.

On the other hand, learned State counsel vehemently opposed grant of regular bail to the petitioner.

Considering overall facts and circumstances, but without expressing any opinion on the merits of the case, the petition is allowed on the same parity as that of aforementioned co-accused of the petitioner. Consequently, petitioner – Amit @ Mita @ Mitu is ordered to be released on bail during pendency of trial, on his furnishing bail bonds and surety bonds to the satisfaction of Trial Court/Duty Magistrate concerned.

July 31, 2020
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No