

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

212

CRM-M No.33618 of 2020 (O&M)
DATE OF DECISION : 29th OCTOBER, 2020

Ashok Kumar @ Mannu

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

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In virtual Court

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Present : Mr. Aman Pal, Advocate for the petitioner.

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RAJBIR SEHRAWAT, J. (Oral)

The present petition has been filed by the petitioner under Section 439 Cr.P.C. for grant of bail pending trial in case FIR No.74 dated 12.05.2020 registered under Section 379-A IPC (Section 411 & 120-B IPC, added later on), at Police Station Siwan, District Kaithal.

It is contended by counsel for the petitioner that the case against the petitioner is totally concocted. The police have created the present case against the petitioner only to show an otherwise unsolved case; as solved one. Even as per the case of the prosecution, there is nothing to connect the petitioner to the crime, except the alleged disclosure statement of the petitioner. However, nothing is even stated to have been recovered from the petitioner pursuant to any such disclosure statement. The petitioner is in custody since 19.05.2020. The investigation of the case is complete. The petitioner is not required for any investigation purposes.

Notice of motion.

Mr. Arun Beniwal, DAG, Haryana, accepts notice on behalf of the State.

Learned State counsel, being instructed by ASI Naresh Kumar, has submitted that the name of the petitioner has specifically surfaced during the investigation. The petitioner himself has disclosed his participation in the crime. It is further submitted that the petitioner has been identified by the complainant. However, it is not disputed that the petitioner is in custody since 19.05.2020 and that there no recovery from the petitioner; as such.

In view of the above, but without expressing any further opinion on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial subject to his furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate, concerned.

29th OCTOBER, 2020
'raj'

(RAJBIR SEHRAWAT)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>