

1)

CRM-M-36651-2019 (O&M)
Date of decision: 27.02.2020

ABHISHEK

...PETITIONER

VERSUS

STATE OF HARYANA

...RESPONDENT

2)

CRM-M-255-2020

VIJAY KUMAR

...PETITIONER

VERSUS

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Radhey Shyam Sharma, Advocate
for the petitioner (in CRM-M-36651-2019).

Mr. Vikas Bishnoi, Advocate
for the petitioner (in CRM-M-255-2020).

Mr. Parveen Aggarwal, DAG, Haryana.

Mr. Aditya Sanghi, Advocate
for the complainant.

VIVEK PURI,J. (ORAL)

The affidavit of Sanjeev Patter, Superintendent, Central Jail-II, Hisar has been filed on behalf of the respondent No.1 in Court today, which is taken on record.

Petitioners are seeking regular bail with regard to the case registered vide FIR bearing No. 44 dated 04.02.2019 at Police Station Bhuna, District Fatehabad under Sections 302, 120-B IPC on the basis of the statement of Raman Kumar alleging that he alongwith his elder brother, namely, Bintu aged about 19 years are students of 10+2 in Government Senior Secondary School, Village Jandli Kalan. On 04.02.2019 at about 12:30 pm, Bintu and Ankush, co-accused who are also students of the school were present in the Varandah of the school

and talking to each other. Ankush, co-accused inflicted knife blows on the chest of Bintu and alarm was raised which attracted the teachers of the school. Bintu was taken to hospital.

It has been further alleged that in the morning hours the petitioners alongwith the deceased were going to the school and on the way Ankush alongwith his brother Naveen Kumar, the father Darbara Singh and mother had given threats to them.

It has been stated by the learned counsel for the petitioners that they have not been named in the FIR and are being nominated only on the basis of the confessional statement of Ankush. It has also been stated that Naveen Kumar against whom also the allegations are with regard to the criminal conspiracy, has already been granted regular bail by this Court.

Learned State counsel has not disputed the factual position.

Keeping in view, the fact that the petitioners have not been named in the FIR and are being implicated on the basis of the confessional statement of Ankush, co-accused, Naveen Kumar, co-accused has already been granted bail and the petitioners are not involved in any other case, I deem it appropriate to extend the concession of regular bail to the petitioners.

Without expressing any opinion on the merits of the case, the instant petitions are allowed. The petitioners are ordered to be released on bail on their furnishing requisite bail bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

27.02.2020
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(VIVEK PURI)
JUDGE

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No