

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

107+214

CRM-M-1741-2021 (O&M)

Date of decision: 02.11.2021

Amrit Kumar @ Tinu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr.Raman Chawla , Advocate for the petitioner.

Mr. Ashok Singh Chaudhary, Addl. A. G. Haryana.

HARNARESH SINGH GILL , J. (ORAL)

CRM-32648- 2021

Prayer in the application is for placing on record Annexure P-4.

Notice in the application.

On asking of the Court, Mr. Ashok Singh Chaudhary, Addl. A. G. Haryana, accepts notice on behalf of the respondent-State and submits that he has no objection, if the present application is allowed.

Annexures P-4 is taken on record.

Registry is directed to tag the same at appropriate place.

Main Case:

Through this petition, the petitioner seek regular bail in case bearing FIR No.32 dated 18.02.2020 under Sections 379, 420 IPC, Sections 467, 468 and 471 IPC added later on, registered at Police Station City Safidon, District Jind.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and he has been in custody since 01.08.2020. He further submits that the petitioner has been indicted in the present

case on a disclosure statement made by co-accused Sonu and Ajay and as per the time given in the statement, the petitioner was far away from the place of occurrence. It is further submitted that while appearing in the witness box, the complainant-Rupa Walia has resiled from her earlier statement and has not support the prosecution version.

Per contra, while opposing the prayer for grant of regular bail to the petitioner, learned State counsel submits that the petitioner is a habitual offender and recovery of an amount of Rs. 5000 has been effected from the house of the petitioner. However, he does not dispute the fact that the complainant herself has turned hostile.

I have heard the learned counsel for the parties.

Keeping in view the fact that in the present case, the petitioner has been indicted on a disclosure statement made by co-accused Sonu & Ajay and the complainant has not been support the prosecution version. The petitioner has been in custody since 01.08.2020. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

02.11.2021

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Whether reasoned/speaking? Yes/No
Whether reportable? Yes/No