

CRA-S-647-2021 (O&M)

Date of Decision: 08.09.2021

Aman and another

.....Appellants

Vs.

State of Haryana

.....Respondent

CRM-M-27523-2021

Aman and another

....Petitioners

vs.

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. R.S. Manhas, Advocate,
for the appellants/petitioners.

Mr. Neeraj Poswal, A.A.G., Haryana.

AMOL RATTAN SINGH, J. (ORAL)

Case heard via video conferencing.

Vide this appeal and the accompanying petition, the petitioners seek to be admitted to bail under the provisions of Section 439 of the Cr.P.C., upon FIR No. 74, dated 20.05.2020, having been registered at Police Station Sadhaura, District Yamuna Nagar, for the alleged commission of offences punishable under the provisions of Sections 148/149/302 of the IPC, read with Section 3 (1) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (with Sections 148/149/302 of the IPC having been deleted and Sections 304/34 of the IPC having been added later).

At the outset, learned counsel for the appellants/petitioners very fairly submits that though the '*challan*' was submitted alleging therein the commission of an offence punishable under the provisions of Section 304 of the IPC, the charge has been framed against the petitioners and their co-accused alleging therein the commission of an offence punishable under the provisions of Section 302 thereof.

Looking at the post-mortem report, at this stage I would not be inclined to admit the petitioners to bail, with the appeal and the petition therefore dismissed at this stage. The trial court is directed to ensure that the petitioners already having been in custody for about 08 months, the complainant and the other material witnesses are examined at the outset.

September 08, 2021
nitin

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No.