

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

-:-

CRM-M No.35619 of 2021 (O&M)
DATE OF DECISION: 03.09.2021

Uttam

.....Petitioner

versus

State of Haryana

.....Respondent

CORAM:- HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Rakesh Nehra, Sr. Advocate with
Mr. Atul Ravish, Advocate for the petitioner.

Ms. Ambika Sood, Addl. AG Haryana.

ALKA SARIN, J. (Oral)

Heard through video conferencing.

This is the second petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the petitioner in FIR No.125 dated 25.03.2020 under Section 304-B, 506 of the Indian Penal Code, 1860 registered at Police Station Sampla, District Rohtak.

Learned counsel for the petitioner would contend that the first bail petition being CRM-M No.26024 of 2020 was dismissed as withdrawn on 28.09.2020. Since the passing of the last order almost one year has passed. It is the further contention of the learned counsel that statements of the complainant and the mother of the deceased have since been recorded and both have not supported the case of the Prosecution.

Learned counsel for the State, on instructions from ASI Dinesh Kumar, is not in a position to dispute the fact that neither the complainant nor the mother of the deceased have supported the version of the Prosecution.

Heard.

In view of the above and without commenting upon the merits of the case, I deem this to be a fit case for grant of regular bail to the petitioner. The petitioner is directed to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the Illaqa Magistrate/Duty Magistrate/Trial Court concerned.

However, the Prosecution will always be at liberty to apply for cancellation of bail in case the petitioner is found to be misusing the concession of bail in any manner.

It is also made clear that any observation made herein shall not be treated as an expression of opinion on the merits of the case.

Disposed off.

(ALKA SARIN)
JUDGE

September 03, 2021
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NOTE:

Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO