

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-48860-2022
DECIDED ON: 28.10.2022

AMIT

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Aditya Sanghi, Advocate
for the petitioner.

Mr. Saurabh Girdhar, AAG, Haryana.

SANDEEP MOUDGIL, J. (ORAL)

This is a petition seeking regular bail in FIR No.193, dated 03.10.2021, under Sections 302/201 of the IPC, registered at Police Station Sector 27 Sonipat, District Sonipat, Haryana.

Learned counsel for the petitioner contends that the occurrence alleged to have taken place on 30.09.2021 and on a telephonic information by one Samran, who had been doing the business of selling coconut water that a young boy was lying on the road between Sector 12/15, District Sonipat, Haryana. He further submits that there is no direct evidence against the petitioner as prosecution case is based on circumstantial evidence and there is no cogent material to attribute any injury to the petitioner. It is submitted by the learned counsel for the petitioner that the petitioner is in custody since 06.10.2021 and the conclusion of trial will take long time.

On the other hand, learned State counsel relies upon the *pervy* report and submits that there are 25 injuries on the body of the deceased and a *danda* was recovered from the possession of the petitioner apart from the disclosure statement. Beyond this, no other argument has been raised by the State counsel to make out a case for denial of bail to the petitioner, at this stage. The custody certificate of the petitioner has been produced by the State counsel in Court today and the same is taken on record. A perusal of the same shows that the petitioner is behind bars for 01 year and 19 days.

Looking at the totality of the facts and circumstances and in view of the fact that the conclusion of the trial is likely to take long time and there is ample delay in registration of the FIR, wherein the petitioner has been booked on the basis of confessional statement and there is no other incriminating material against the petitioner, therefore, no fruitful purpose will be served by keeping the petitioner behind bars, the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the Illaqa Magistrate/Duty Magistrate, concerned.

The present petition is, therefore, allowed.

(SANDEEP MOUDGIL)
JUDGE

28.10.2022

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<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>