

CRM-M-49612-2023

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

311-2

CRM-M-49612-2023 (O & M)
Date of decision: 19.12.2023

ANIL

...Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. N.K.Chhokar, Advocate,
for the petitioner.

Mr. Shivendra Swaroop, DAG, Haryana.

RAJBIR SEHRAWAT, J. (Oral)

1. The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of bail pending trial in case FIR No.195 dated 10.07.2020, registered under Sections 148, 149, 302, 323, 427 and 452 IPC, at Police Station Israna, District Panipat.

2. Status report dated 18.12.2023 by way of affidavit of Krishan Kumar, HPS, Deputy Superintendent of Police, CAW, Panipat, filed in the Court today, is taken on record.

3. It is submitted by learned counsel for the petitioner that the case against the petitioner is concocted. The petitioner is not involved in the crime as alleged against him. Even as per the story of the prosecution, the petitioner is alleged to have caused injury to Sandeep, but no injury is specifically attributed as having been caused by the petitioner to the deceased. The petitioner has been in custody since 29.07.2020. The

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investigation of the case is complete and the petitioner is not required for any further investigation purposes. Therefore, the petitioner deserves to be released on bail pending trial.

4. Learned State Counsel, on instructions, from ASI Ranbir Singh, submits that the petitioner has participated in the incident in which one person has lost his life. The sword had already been recovered from the petitioner. However, it is not disputed by counsel for the State that there is no specific injury attributed to the petitioner having caused to the deceased. It is also not disputed that the petitioner is in custody since 29.07.2020.

5. In view of the above, but without expressing any further opinion on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial subject to him furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate, concerned.

19.12.2023
parveen kumar

(RAJBIR SEHRAWAT)
JUDGE

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