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

CRM-M-65250-2024**Date of Decision: 13.01.2025**

Amarjeet alias Amru

...Petitioner

vs.

State of Haryana

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Shiv Kumar Rana, Advocate
for the petitioner.

Mr. Rajinder Kumar Banku, Deputy Advocate General, Haryana.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail in case FIR No.18 dated 02.02.2024 registered under Sections 147, 149, 307, 323, 325, 341, 506 of IPC (later on added Sections 307 and 325 of IPC) at Police Station Civil Lines, District Bhiwani.

2. Learned counsel for the petitioner contends that even though, the petitioner has been falsely named in the FIR and stated to be armed with a lathi, but no specific role has been attributed to him. Learned counsel further contends that in fact, the complainant party had attacked the accused and in self-defence, they have caused injuries to the opposite side. The petitioner was arrested in the present case on 19.02.2024 and is in custody for the last more than 10 months. As per learned counsel, three persons had suffered injuries on the complainant side, but they have been discharged from the hospital long ago.



He further contends that the prosecution has been able to examine only two witnesses, out of total 26 witnesses so far and further custody of the petitioner will not serve any meaningful purpose. By referring to order dated 25.11.2024 (Annexure P-7), learned counsel submits that similarly placed co-accused, namely, Manish has been granted the concession of bail by this Court.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and he does not deserve the concession of bail by this Court.

4. I have heard the learned counsel for the parties and perused the record.

5. The petitioner is in custody for the last about 10 months and 22 days. The prosecution has relied upon 26 witnesses, but only 02 witnesses have been examined so far. Still further, no specific injury has been attributed to him and almost similarly placed co-accused, Manish has already been admitted to bail by this Court.

6. Thus, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

13.01.2025
hemlata

(N.S.SHEKHAWAT)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No