
(2010) 08 P&H CK 0373

High Court Of Punjab And Haryana At Chandigarh

Case No: None

Balkar Singh, Amit
Kumar and Anoop
Singh

APPELLANT

Vs

State of Haryana

RESPONDENT

Date of Decision: Aug. 13, 2010

Acts Referred:

- Criminal Procedure Code, 1973 (CrPC) - Section 439
- Penal Code, 1860 (IPC) - Section 148, 149, 186, 307, 323

Hon'ble Judges: Ram Chand Gupta, J

Bench: Single Bench

Final Decision: Allowed

Judgement

Ram Chand Gupta, J.

This order will dispose of all the aforementioned petitions for regular bail filed u/s 439 of Cr.P.C. in FIR No. 289 dated 29.03.2010, under Sections 307/323/332/353/186/148/149/427/506 IPC and Prevention of Damage to Public Property Act, registered at Police Station Civil Lines Karnal, District Karnal.

2. I have heard learned Counsel for the parties and gone through the record.

3. It has been argued by the learned Counsel for the petitioners that petitioner-Balkar Singh has been continuing in custody since 02.04.2010. Petitioner-Amit Kumar has been continuing in custody since 17.06.2010 and petitioner-Anoop Singh has been continuing in custody since 22.06.2010. It is further contended that one Pushpinder alleged to have died on account of negligence of the doctor and hence, a mob collected and attacked the doctors. It is further contended that none of the petitioners has been named in the FIR and they have been falsely implicated in this case. It is further contended that co-accused Ashok Kumar, Parvinder Singh @Monu and Manjeet Singh @Hathi were allowed bail by this Court and the case of the present petitioners is on similar footing. It is further

contended that though challan has been filed against petitioner-accused, Balkar Singh and however, charge has not been framed so far. It is further contended that challan against petitioners-accused, Amit Kumar and Anoop Singh is yet to be filed. Hence, trial of the case is not likely to be concluded in future.

4. There are no allegations on behalf of the State that petitioners are likely to abscond or that they are likely to dissuade the witnesses from deposing true facts in the Court, if released on bail.

5. Hence, keeping in view these facts and without expressing any opinion on merits, the instant applications for regular bail filed on behalf of Balkar Singh, Amit Kumar and Anoop Singh, are allowed.

6. Bail to the satisfaction of CJM/Duty Magistrate, Karnal.