

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

Crl.Misc.No.M-12396 of 2015(O&M)

Date of Decision : 13.07.2015

Ashish

....Petitioners

Versus

State of Haryana

...Respondent

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

Present : Mr. S.S.Nara, Advocate for the petitioner

Mr. Anmol Malik, AAG, Haryana

MAHESH GROVER, J.

The petitioner prays for grant of regular bail in terms of Section 439 Cr.P.C in case FIR no. 196 dated 31.12.2014 registered under Sections 387, 307, 506, 120-B IPC and Sections 25, 54, 59 of Arms Act at Police Station, Raipur Rani, Panchkula, District Panchkula.

According to the allegations in the FIR the complainant faced extortion calls from one Kala Hangola pursuant to which another co-accused namely Johny came on the motor cycle to collect the ransom and after parking the same outside the shop of the complainant fired which hit the aluminum door of the shop. The father of the complainant attempted to confront him with a brick bat resulting in assailant fleeing but his motor cycle and country made pistol were left behind at the spot.

Learned counsel for the petitioner contends that no role has been attributed to the petitioner which fact is controverted by the learned State counsel who states that the role of the petitioner is in conspiring with the other co-accused in the incident in order to extract ransom from the complainant.

On due consideration of the matter and noticing the fact that the petitioner is not named in the FIR with no role directly attributed to him, even though conspiracy has been alleged and noticing the fact that the petitioner is in custody since 12.1.2015, the instant petition is allowed. It is directed that the petitioner be released on bail in terms of Section 439 Cr.P.C . Bail to the satisfaction of learned Trial Court.

Nothing said herein shall be construed to be an expression on the merits of the case.

July 13, 2015
rekha

(Mahesh Grover)
Judge