

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-12989 of 2015 (O&M)
Date of Decision : 21.05.2015

TarifPetitioner

Versus

State of HaryanaRespondent

CORAM: HON'BLE MR. JUSTICE R.P. NAGRATH

Present: Mr. Saleem Ahmed, Advocate
for the petitioner.

Ms. Dimple Jain, AAG, Haryana.

R.P. Nagrath, J. (Oral)

CRM No. 16991 of 2015

Application is allowed and copies of statements of PW-1 ASI Suresh Kumar, PW-2 Vijay Singh, ESI, PW-3 ASI Tej Singh, PW-4 HC Netar Pal, PW-5 Mohd. Irfan, PW-6 Sanjay Kumar, PW-7 SI Samsuddin, PW-8 SI Kulbir Singh and PW-9 Constable Manoj Kumar as Annexures P-3 to P-11 are taken on record.

CRM-M-12989 of 2015

Petitioner seeks bail under Section 439 Cr.P.C. in FIR No. 257 dated 08.06.2014 for offences under Sections 148, 149, 332, 353, 186, 307, 395, 397, 283, 435, 427 and 120-B of Indian Penal Code (IPC) and Section 25 of the Arms Act, registered at Police Station Taura, District Mewat.

Learned State counsel submits that all the eye-witnesses to the occurrence have since been examined and in none of the statement of any eye-witnesses the name of petitioner

has figured. Certain persons have been named in the statement of PW-9 Constable Manoj No. 419, who prepared the video recording of the incident but specifically the name of petitioner has not been mentioned in his statement.

Learned counsel for the petitioner submits that in the statement of PW-9 Constable Manoj (Annexure P-11), the specific question was put to him if the name of Tarif-petitioner was disclosed in the statement made before the police and the witness replied in positive but he has been duly confronted with the statement made before the police.

The petitioner is in custody since 07.08.2014 and it will take time in conclusion of the trial.

In view of the above and without commenting on the merits of the case, the instant petition is allowed and the petitioner be admitted to bail on furnishing bail bonds to the satisfaction of the trial Court.

May 21, 2015
jk

(R.P. NAGRATH)
JUDGE