

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

**CRM No.M- 23364 of 2014
Date of decision: 08.01.2015**

Dharmender

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN.

Present: Mr. Anshuman Dalal, Advocate
for the petitioner.

Mr. Ajay Gulati, DAG, Haryana
assisted by ASI Sukhbir Singh.

Mr. Hemender Goswami, Advocate
for the complainant.

JITENDRA CHAUHAN J. (Oral)

This petition under Section 438 of the Code of Criminal Procedure has been filed for grant of anticipatory bail to the petitioners in case FIR No.448 dated 30.06.2013, registered under Sections 148, 302, 120-B and 216 IPC, at Police Station Sadar, Bhiwani, District Bhiwani.

Learned counsel for the petitioner contends that the petitioner is an innocent person and has been falsely implicated in the present case. The petitioner has been summoned under Section 319 Cr.P.C. He was earlier arrested on 12.09.2013, however,

during investigation, no incriminating evidence could be collected and accordingly he was released from the custody on 06.12.2013, by the learned Chief Judicial Magistrate, Bhiwani, and as such the petitioner has suffered incarceration for a period of 84 days. The petitioner has duly complied with the order dated 15.07.2014, passed by this Court.

On the other hand, learned State Counsel, on instructions, fairly concede that no complaint with regard to the intimidation of the complainant by the petitioner has so far been received.

Heard.

Keeping in view the totality of circumstances and the fact that the present petitioner has duly complied with the order dated 15.07.2014, passed by this Court, and has not misused the concession of bail, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, subject to his furnishing bail bonds and surety bonds to the satisfaction of the CJM/Duty Magistrate, Bhiwani.

(JITENDRA CHAUHAN)
JUDGE

08.01.2015

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