

IN THE PUNJAB & HARYANA HIGH COURT AT CHANDIGARH

CRM-M-2664-2015

Date of decision : 04.02.2015

Amit alias Meeta

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr.Amit Khatkar, Advocate
for the petitioner.

Mr.Aditya Sanghi, AAG, Haryana.

REKHA MITTAL, J.(ORAL)

The petitioner prays for grant of regular bail in FIR No.227 dated 12.06.2014 registered in Police Station Matlauda for offence punishable under Section 302 read with Section 34 of the Indian Penal Code (in short 'IPC') and Section 25 of the Arms Act.

Counsel for the petitioner contends that as per allegations set up in the FIR, Sumit, Amit @ Meeta (petitioner herein), Vikas and Anil (since deceased) had been consuming liquor at the place of occurrence and accidentally there was a shot fired from pistol which was later recovered from non-applicant Sumit. It is further submitted that the petitioner has been indicted in the crime with the sole allegation that he was present on the spot. No overt act has been attributed to the petitioner in the occurrence. The co-accused in the case namely Vikas @ Soni to whom similar role has been attributed, has been released on bail by this Court on November 29, 2014.

The challan has been presented in the Court and the petitioner is ready to face proceedings in accordance with law.

Counsel for the State, on instructions from ASI Rajender Singh, would submit that during investigation, it has been revealed that there was a brawl between the person present at the spot and consuming liquor and Sumit fired a shot which hit Anil. However, he has conceded to the factual assertions in regard to role attributed to the present petitioner and the fact that a similarly situated co-accused Vikas has been released on bail by this Court.

Without meaning to express any opinion on merits of the controversy, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds to satisfaction of the trial Court, subject to the following conditions:-

- (i) he shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer; and
- (ii) he shall not leave India without the previous permission of the Court.

(REKHA MITTAL)
JUDGE

February 04, 2015.

DK