

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

**CRM No.M- 2916 of 2015
Date of decision: 04.02.2015**

Amit

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN.

Present: Mr. Sansar Kundu, Advocate
for the petitioner.

Ms. Trishanjali Sharma, AAG, Haryana.

JITENDRA CHAUHAN J. (Oral)

This petition under Section 439 of the Code of Criminal Procedure has been filed for grant of regular bail to the petitioners in case FIR No.157 dated 24.08.2014, registered under Sections 328, 497, 498, 120-B IPC, at Police Station Garhi, District Jind.

Learned counsel for the petitioner contends that the only allegation against the petitioner is that he persuaded her co-accused, namely, Suman wife of Mahipal to administer poison to the family of her husband. He further contends that the occurrence took place on 22.08.2014, whereas the FIR was registered on

24.08.2014. Learned counsel referred to the observations made by the treating doctor and states that there is no evidence of ingestion/ inhalation of any poison/intoxicating or unwholesome drug or any other thing in any of the patients at the time of admission. The main accused, namely, Suman has already been admitted to bail by the learned trial Court vide order dated 15.12.2014. The petitioner is allegedly a paramour of co-accused, Suman. The petitioner is in custody since 02.09.2014.

On the other hand, learned State Counsel submits that the petitioner is involved in a heinous crime wherein the poisonous substance was administered to the whole members of the complainant's family including the children. Challan stands presented and charges have been framed. The case is now fixed for prosecution evidence.

Heard.

Keeping in view the above facts and circumstances and the fact that the present petitioner is in custody since 02.09.2014, it would be just and expedient to order the release of the petitioner on bail. This petition is allowed. The petitioner be admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of the CJM/Duty Magistrate, Jind.

04.02.2015

yakub

(JITENDRA CHAUHAN)
JUDGE