

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

**CRM-M-2932-2015**

**Date of Decision: 04.02.2015**

Tahir Hussain

....Petitioner

Versus

State of Haryana

.... Respondent

**CORAM: Hon'ble Ms. Justice Ritu Bahri**

Present: Mr. Munfaid Khan, Advocate  
for the petitioner.

Mr. C.S. Bakhshi, Addl. A.G, Haryana.

**RITU BAHRI, J.**

This petition under Section 439 Cr.P.C is for grant of regular bail to the petitioner in case F.I.R No. 130 dated 01.04.2010, under Sections 148, 149, 279, 336, 323, 427, 307, 384, 506 IPC and Section 25/54/59 of the Arms Act, registered at Police Station, Hathin, District Faridabad, Haryana.

As per the allegations in the FIR, on 01.04.2010 at about 2.30 pm, petitioner along with his friends was going to Uttawer Chowk for personal work in his car bearing registration No. HR99CWTL-4732. When he reached Nagal Jat, then Tata 709 vehicle without any registration number came from hodal side behind him being derived in rash and negligent manner overtake by hitting his vehicle, whereby he saved his car by turning turtle. The drover of Tata 704 kept driving in rash and negligent manner and reached at bus stand of Bahin then the driver of Tata 709 hitted bikes parked in front of shops and went away towards Uttawer overtaking by hitting School bus parked at bus stand for dropping the children. A Bolero car also

from Bahin bearing No.HR99-DQ-8699 with some person in it started chasing Tata Vehicle for catching. The driver of Tata entered his vehicle in village Uttawar. Both cars also along with that vehicle entered in village Uttawar. After reaching in the village, 3 persons came out from that Tata vehicle and started raising alarm of coming docate and saving us from those docates. On which 25-30 persons came out and having common intention with holding lathi, danda and local made Gun in their hands, attach on our both vehicle and started blowing lathi upon us. They have outed forcibly the complainant along with her friends from the car and started beating badly. The present FIR was registered in the year 2010 and proclamation proceedings were initiated against the present petitioner under Section 82 Cr.P.C. as he was declared proclaimed offender on 12.02.2012 and thereafter, he was arrested on 20.09.2014. The petitioner is in custody since then. The other co-accused of the petitioner have also been released on bail.

Heard.

Keeping in view the period of incarceration of the petitioner and the fact that the trial may still take some time for its conclusion, this Court feels that there is no need to detain the petitioner any longer. Accordingly, this petition is allowed and the petitioner is ordered to be enlarged on bail subject to furnishing bail/surety bond to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Palwal.

**(RITU BAHRI)**  
**JUDGE**

04.02.2015  
pooja saini