

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-30456-2015

Date of decision: October 07, 2015

Maldev

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Vikram Singh, Advocate for the petitioner.

Mr. Gaurav Dhir, DAG, Haryana.

Mr. D.S. Sukracharya, Advocate for respondent No.2.

Rajan Gupta, J.(oral)

This is a petition under Section 438 Cr.P.C. seeking pre-arrest bail in a case registered against the petitioner under Sections 148, 149, 302, 323, 120-B IPC and 25-54-59 of Arms Act at Police Station Samalkha, District Panipat, vide FIR No.02 dated 01.01.2014, wherein he has been summoned to face trial in exercise of power under section 319 Cr.P.C.

Learned counsel for the petitioner submits that petitioner was found innocent during investigation. He has been summoned as an additional accused on the basis of statement of PW-1. He submits that petitioner is ready to submit to the trial and face the proceedings.

Prayer has been opposed by counsel appearing for the complainant. According to him, petitioner actively participated in the crime.

However, keeping in view the fact that petitioner has been

summoned as an additional accused under section 319 Cr.P.C. and was earlier exonerated by the investigating agency and is ready to submit to the trial proceedings, I am of the view that he is entitled to concession of pre-arrest bail. In case the petitioner surrenders before the trial court on the next date of hearing, he shall be admitted to bail subject to provisions of Section 438 (2) Cr.P.C.

The petition stands allowed in the aforesaid terms.

(RAJAN GUPTA)
JUDGE

October 07, 2015
'Rajpal'