

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

CRM-M-37088 of 2015

Date of Decision: December 22, 2015

Phool Kavar @ Phool Kanwar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Rakesh Nehra, Advocate
for the petitioner.

Mr. Munish Sharma, A.A.G. Haryana.

FATEH DEEP SINGH, J.

This is a petition under Section 439 Cr.P.C. for grant of regular bail in FIR No.188 dated 08.05.2015 under Sections 307,34,120-B IPC and Sections 25,54,59 of Arms Act registered at Police Station, Urban Estate, Rohtak.

The allegations against the petitioner-Phool Kavar @ Phool Kanwar in this regular bail application are that Satish co-accused/non-applicant had fired gun shot at Jaswinder son of complainant Dharamvir and the only role attributed to the petitioner as per the contention of the learned counsel for the petitioner is that he was instrumental in facilitating escape of the accused Satish.

The contentions of the counsel for the petitioner that neither any act or manner how the petitioner has contributed to this escape could not be rebutted by the State counsel, who has

fairly conceded that the only allegations against the petitioner is that he facilitated the escape of the accused and there is no evidence qua this aspect.

In view thereof and keeping in view that the petitioner is in custody since 6.8.2015 and that trial is not likely to be concluded in near future and no useful purpose would be served by keeping the petitioner behind the bars, without adverting anything on the merits of the case, the present petition for grant of regular bail is allowed. Petitioner be admitted to bail to the satisfaction of the trial Court.

(FATEH DEEP SINGH)
JUDGE

December 22, 2015
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