

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No. M-41206 of 2014

DATE OF DECISION: 10.02.2015

Parvesh

.....Petitioner

Versus

State of Haryana

.....Respondent

BEFORE:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

- 1. Whether reporters of local newspaper may be allowed to see judgment?**
- 2. To be referred to reporters or not?**
- 3. Whether the judgment should be reported in the Digest?**

Present:- Mr. S.K. Bhardwaj, Advocate
for the petitioner.

Mr. Deepak Sabharwal, Addl. A.G., Haryana.

DAYA CHAUDHARY, J.

The present petition under Section 439 Cr.P.C. has been filed for grant of regular bail to the petitioner in case FIR No. 43 dated 13.3.2014 registered under Sections 307/365/323 IPC and 25 of the Arms Act at Police Station Lakhan Majra, District Rohtak.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in this case, whereas, injured Jasbir @ Ocha was admitted in the hospital on 13.3.2014 and was discharged from the hospital on that very day. Complainant as well as injured, namely, Jasbir @ Ocha have been cross-examined but they have not supported the case of the prosecution. The name of the petitioner does not figure in the FIR and

he has been implicated only on the basis of statement of Jasbir Singh recorded under Section 161 Cr.P.C. All material witnesses have been examined and the petitioner is in custody since 26.3.2014 and no purpose would be served in case he is kept behind the bars.

Learned counsel for the respondent-State has not disputed the statement suffered by injured as well as complainant but opposes bail to the petitioner being serious offence.

In view of the submissions made by learned counsel for the petitioner and also the facts that complainant-injured have not supported the case of the prosecution; all material witnesses have been examined; the petitioner is in custody since 26.3.2014 and trial may take some time in final conclusion, the petition is allowed. Petitioner-Parvesh is directed to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of trial Court.

February 10, 2015
pooja

(DAYA CHAUDHARY)
JUDGE