

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

205

**Crl. Misc. No.M-41366 of 2014
Date of decision: 19.03.2015.**

Satish @ Katu

....Petitioner

versus

State of Haryana

....Respondent

CORAM: Hon'ble Mr. Justice TEJINDER SINGH DHINDSA.

Present: Mr. Sumit Sangwan, Advocate for the petitioner.

Mr. M.S. Sidhhu, Addl. A.G., Haryana.

Tejinder Singh Dhindsa, J. (Oral)

This order shall dispose of the instant petition filed under Section 439 Cr.P.C. seeking the benefit of regular bail to the petitioner in FIR No.141 dated 05.06.2012 registered under Sections 302, 120B, 34, IPC and 25 of Arms Act at Police Station Salhawas, District Jhajjar.

Counsel for the parties have been heard.

Deceased in the present case is Manoj Kumar. The FIR was registered on the statement of wife of the deceased, namely, Pooja Devi. Occurrence is stated to be on 05.06.2012 when complainant along with her deceased-husband and driver-Narender were proceeding in an Alto Car and were incepted by Verna Car of white colour at about 11:30 am and from which three boys are stated to have been alighted and opened fire upon the deceased and he died on account of gun shot injury.

The present petitioner was not named in the FIR. Subsequently during the course of investigation, co-accused namely, Saneh was arrested and from him a pistol was recovered.

It has gone uncontroverted that the present petitioner has been implicated on the disclosure statement of co-accused, namely, Saneh and no recovery of any fire arm had been made from him.

Learned State counsel upon instructions from ASI Rajender Singh, would apprise the Court that statements of all the five material witnesses including the complainant i.e. wife of the deceased and also driver of the car, namely, Narender have been recorded by the trial Court.

The petitioner has been in custody since 11.06.2012 and he is stated not to be involved in any other criminal proceedings.

Without making any observations on merit, the petition is allowed.

Petitioner be enlarged on bail subject to the satisfaction of the trial Court/Duty Magistrate.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

March 19, 2015
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