

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

Crl. Misc. No. M-42122 of 2014

Date of decision: 21.01.2015

Santosh

...Petitioner

versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. J.S. Hooda, Advocate,
for the petitioner.

Mr. C.S. Bakhshi, Addl. AG., 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. 241 dated 17.08.2013, under Sections 279/336/307/379/511/34 IPC (Sections 420/467/468/471 IPC added later on), registered at Police Station, Hodal, District Palwal.

As per the allegations in the FIR, on the intervening night of 16/17.08.2013, at about 2.00/3.00 A.M., the complainant and others were holding a barricade in order to stop transportation of cows. In the meantime, a Pick-up vehicle bearing registration No. UP-16-AE-7336 being driven by a boy, was seen coming from the side of Lalpur (UP) at a high speed. Two boys were sitting in backside of the said vehicle. The driver of the said vehicle tried to run over the complainant party with an intention to kill them. Thereafter, the boys sitting in the said vehicle fled away from the spot.

The case of the prosecution is that the petitioner, who is the main accused, was driving the said vehicle and forcibly tried to run over the complainant party.

Learned State counsel, on instructions from ASI Sita Ram, has informed the Court that nobody was injured in this accident and the allegation against the petitioner was that he had made an attempt to avoid the *naka* by running over his vehicle on the public path. All the prosecution witnesses have been examined before the trial Court.

The petitioner is in custody since 18.08.2013.

Heard.

Keeping in view the period of incarceration of the petitioner and the fact that trial may still take some time to conclude, 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 to the satisfaction of the trial Court.

(RITU BAHRI)
JUDGE

21.01.2015
ajp