

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-42161 of 2015

.....

Date of decision:14.12.2015

Liyakat

...Petitioner

v.

State of Haryana

...Respondent

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Mohammad Arshad, Advocate for the petitioner.

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Inderjit Singh, J.

The petitioner has filed this second petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.327 dated 17.05.2015 registered for the offences under Sections 148, 149, 332, 341, 307 and 506 IPC and Section 25 of the Arms Act at Police Station Nuh, District Mewat.

From the record, I find that first anticipatory bail petition filed by the petitioner has already been decided by this Court vide order dated 20.10.2015. In that case, it has already been discussed that the present petitioner was stated to be armed with 'Farsa' and he gave 'Farsa' blow on the head of Israel. It has also been held in the earlier order that the weapon is yet to be recovered from the petitioner and he is required for custodial interrogation and in view of the nature and gravity of the offences also this Court held that he is not entitled to the benefit of anticipatory bail.

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After hearing learned counsel for the petitioner and after going through the record, I find that there are no changed circumstances for grant of anticipatory bail. The petitioner has not shown anything that he is not required for custodial interrogation or the weapon is not to be recovered from him. The petitioner is named in the FIR. He is stated to be armed with weapon 'Farsa' which is yet to be recovered from him, therefore, he is required for custodial interrogation. The petitioner is relying upon the application for remand given on 20.10.2015 in the trial Court. Even in this application, it has been written that regarding Liyakat one simple injury by blunt weapon.

Keeping in view the facts and circumstances of the present case, I find that the petitioner is required for custodial interrogation.

Therefore, finding no merit in this petition, the same is dismissed.

December 14, 2015.

(Inderjit Singh)
Judge

hsp