

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-6448 of 2015
Date of Decision : 19.03.2015

Ashok

.....Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE R.P. NAGRATH

Present: Mr. R.N. Lohan, Advocate
for the petitioner.

Ms. Dimple Jain, AAG, Haryana.

R.P. Nagrath, J. (Oral)

Petitioner seeks bail under Section 439 Cr.P.C. in FIR No. 161 dated 06.05.2014 for offences under Sections 302, 307, 452 and 34 of Indian Penal Code (IPC) and Section 25 of Arms Act, registered at Police Station Julana, District Jind.

Learned State counsel on instructions from ASI Balwan states that the challan has been presented by the prosecution on 07.08.2014 and charge has also been framed on 02.09.2014. It is further submitted that 15.04.2015 is the next date fixed before the trial Court for recording of the evidence. Learned State counsel also submits that the only evidence collected by the investigating agency against the petitioner is recovery of motorcycle made on 13.05.2014. However, the registration number of motorcycle was not even mentioned in FIR.

The story in the FIR was that two boys having covered their faces with handkerchief came but arrest was made of three

persons. As per prosecution story the weapon of offence was recovered from Sandeep co-accused.

Learned State counsel on instructions submits that the present case is based on the circumstantial evidence as there was no eye-witness present at the time of incident. It is further submitted that it was not the case where motorcycle was having any stains of blood.

The petitioner is in custody since 12.05.2014 and it will take long time in conclusion of the trial.

In view of the above and without commenting on the merits of the case, the instant petition is allowed and the petitioner be admitted to bail on furnishing bail bonds to the satisfaction of the trial Court.

Allowed in the above terms.

March 19, 2015
jk

(R.P. NAGRATH)
JUDGE