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

CRM-M-10909 of 2016

Date of decision: August 19, 2016

Neeraj

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE A.B. CHAUDHARI

Present: Mr. Bijender Dhankhar, Advocate for the petitioner.

Ms. Tanushree Gupta, DAG Haryana.

A.B. CHAUDHARI, J (Oral)

Heard learned counsel for the rival parties.

In FIR No.331 dated 16.11.2009, under Sections 302, 201, 34 of Indian Penal Code, 1860 and Section 25 of the Arms Act, 1959, registered at Police Station Kundli, District Sonapat, petitioner was arrested on 15.12.2015 and is in jail since then.

Learned State counsel submits that challan has been filed. 10 witnesses have already been examined by the prosecution. It is not dispute that there is no direct evidence against the petitioner and reliance has placed on circumstantial evidence. Prima-facie, it appears that the circumstantial evidence of nature disclosed before me, is not strong enough to continue the detention of the petitioner in Jail, when the petitioner is in jail since 15.12.2015.

In that view of the matter, this petition is allowed. Petitioner be released on bail subject to the satisfaction of the learned Chief Judicial Magistrate/trial Court concerned. Petitioner shall not tamper with the prosecution evidence.

**(A.B. CHAUDHARI)
JUDGE**

August 19, 2016

mahavir

Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No