

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

CRM No.M-13061 of 2016 (O&M)

Date of decision: 16.08.2016

Dharambir

...Petitioner

Versus

State of Haryana

...Respondent

**CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN**

Present: Mr. Manish Soni, Advocate for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana  
assisted by ASI Rajender Kumar.

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**Jitendra Chauhan, J. (Oral)**

By filing the present petition under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in case FIR No.451, dated 15.10.2015, registered under Sections 186, 307, 332, 353 read with Section 34 IPC and Section 25 of Arms Act, at Police Station Kherki Daula Gurgaon, District Gurgaon.

It is contended that the FIR was registered on the basis of secret information received by the complainant Inspector Rajinder Singh. The petitioner has been falsely roped in the instant case on the basis of second disclosure statement of co-accused Kaushal, wherein he has stated that it was not Sandeep who was the person with him rather it was the petitioner, Dharambir. The petitioner is in custody since 18.11.2015.

On the other hand, the learned State counsel opposes the prayer of bail.

I have heard learned counsel for the parties and perused the record.

Considering the fact that the initially the petitioner is not named in the FIR and he is in custody since 18.11.2015; the challan stand presented; out of total 24 PWs, only 02 PWs have been examined so far, therefore, it can be safely inferred that trial is not likely to be concluded in the near future, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, on his furnishing bail bonds and surety bonds, to the satisfaction of the trial Court.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

16.08.2016

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**(JITENDRA CHAUHAN)**  
**JUDGE**

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|-----------------------------|-----|----|
| Whether speaking/reasoned : | Yes | No |
| Whether Reportable :        | Yes | No |