

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

**CRM No.M-15123 of 2016 (O&M)
Date of decision : 11.05.2016.**

Aarif

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. Rakesh Gupta, Advocate for the petitioner.
Mr. A.S. Chaudhary, Additional Advocate General, Haryana.
...

TEJINDER SINGH DHINDSA, J.

Petitioner seeks benefit of regular bail pending trial in case FIR No.409 dated 23.05.2014, under Sections 147/148/149/186/223/224/225/307/332/341/353/379/411/120-B IPC and Sections 25/54/59 of the Arms Act, registered at Police Station Sohna, District Gurgaon.

Counsel for the parties have been heard.

FIR came to be registered against unnamed persons on the allegations that one accused, Chaman was made to escape from the custody of a police escort party. Allegations were also to the effect that the escort party had been fired upon.

Name of the present petitioner does not figure in the FIR.

The occurrence pertaining to the escape of Chaman having been facilitated relates to 23.05.2014.

During the course of investigation, the present petitioner was arrested on 07.06.2014.

Challan qua the petitioner stands presented on 04.09.2014.

Learned State who is on instructions from ASI Satbir Singh would submit that out of 32 prosecution witnesses cited, none has been examined till date.

Co-accused, Mubarik has been granted benefit of regular bail passed by this Court in the light of order dated 30.03.2016 in CRM No.M-6558 of 2016.

Without making any observations on merits and keeping in view the length of incarceration already suffered by the petitioner, he is held entitled to the benefit of bail.

Petition is allowed. Petitioner be enlarged on bail subject to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Gurgaon.

Disposed of.

11.05.2016

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**