

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

CRM-M-23860-2016 (O&M)

Date of decision : 23.08.2016

Satish Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Satnarain Sharma, Advocate,
and Mr. Atul Verma, Advocate,
for the petitioner.

Mr. Kuldeep Tiwari, Addl.A.G., Haryana,
assisted by ASI Devender Kumar.

Mr. Vikas Pahwa, Sr. Advocate,
with Mr. Harsh Aggarwal and Mr. Aditya Dogra, Advocates,
for the complainant.

JITENDRA CHAUHAN, J. (Oral)

The petitioner has approached this Court under Section 439 of the Code of Criminal Procedure (for short, 'Cr.P.C.') for grant of regular bail in case FIR No.184 dated 18.07.2012, registered under Sections 147, 148, 452, 302, 307, 436, 323, 332, 353, 427, 114, 201, 120-B, 381, 382 and 325 read with Sections 149 and 34 of the Indian Penal Code, at Police Station Manesar, District Gurgaon.

Learned counsel for the petitioner contend that the petitioner is not named in the FIR. He is in custody since 24.07.2015. The injuries on the person of the injured were found superficial in nature. The trial qua the petitioner is yet to commence, whereas, the trial in the main case has been

stayed by Hon'ble the Supreme Court, therefore, no purpose would be achieved in keeping the petitioner in further incarceration.

On the other hand, learned State counsel submits that the petitioner was identified by Gopal Thapa.

Heard.

As per the case of the prosecution, the petitioner allegedly caused injury to one Gopal Thapa. He was declared proclaimed offender on 28.10.2014 and arrested on 24.07.2015.

Keeping in view the conduct of the petitioner and the fact that specific role has been attributed to him, this Court is not inclined to accept the prayer for grant of bail, at this stage.

Dismissed.

Anything noticed hereinabove shall not be construed as an expression of opinion of the Court on the merits of the case.

23.08.2016

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned : Yes No

Whether Reportable : Yes No