

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

CRM No. M-25660 of 2016 (O&M)

Decided on: 05.08.2016.

Tahir ... Petitioner
Versus
State of Haryana ... Respondent

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. Sunil Panwar, Advocate,
for the petitioner.

Mr. Saurav Mohunta, DAG, Haryana.

JITENDRA CHAUHAN.J.(ORAL)

By filing this petition, under Section 439 Cr.P.C the petitioner has sought regular bail in FIR No.17 dated 18.01.2011 under Sections 148, 323, 342, 452 and 302 read with Section 149 IPC registered at Police Station Hathin, District Palwal.

Learned counsel for the petitioner contends that eleven persons were falsely roped in the present FIR. Vide judgment dated 23.05.2014, all the co-accused have been acquitted. During the course of trial, the petitioner evaded his arrest and he was declared proclaimed offender. No specific injury/overt act is attributed to the petitioner. All the allegations are vague and general in nature.

On the other hand, the learned State counsel opposes the bail application and contends that since the petitioner was declared proclaimed offender, he does not deserve the concession of bail.

I have heard the learned counsel for the parties and

have gone through the case file.

Considering the fact that the prosecution could not prove its case against the similarly situated co-accused and they stand acquitted and the petitioner is in custody since 5.10.2015, without advertent to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of 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.

05.08.2016.
SN

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes/No
Whether reportable :	Yes/No