

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-26142 of 2016

Date of decision : 24.09.2016

Sandeep

... Petitioner

versus

State of Haryana

... Respondent

CORAM:- HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Pardeep Goyal, Advocate
for the petitioner

Mr. Apoorv Garg, DAG Haryana

ANITA CHAUDHRY, J. (ORAL)

The petitioner is seeking regular bail in FIR No. 460 dated 17.08.2015 registered at Police Station Hodal, District Palwal under Sections 304/34 and 308 (added lateron) IPC.

Learned counsel for the petitioner contends that the petitioner was not named in the FIR and after nine months the complainant had given his name and the allegations are that the petitioner was sitting pillion on the motorcycle driven by Monu. Monu is said to have struck his motorcycle with the other motorcycle on which Amit was sitting and Amit fell down and died. The counsel states that the allegations against the unknown person was that he had slapped Amit. The counsel further states that the earlier mother of the deceased had given a complaint accusing Sonu complainant, to be the culprit.

Learned State counsel submits that Monu could not be arrested as he is proclaimed offender.

The FIR was lodged by Sonu. Allegations were levelled that Monu was driving the motorcycle and an unknown person was sitting behind him. The role attributed to the pillion rider was that he had slapped Amit. Monu struck the

motorcycle with the other motorcycle with his leg and the driver lost balance and Amit fell down and sustained grievous injuries and later died.

Considering the allegations and the circumstances narrated above, without commenting anything on the merits of the case and considering the fact that the trial will take time to conclude, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing adequate bonds to the satisfaction of the trial Court/Duty Magistrate.

September 24, 2016
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(ANITA CHAUDHARY)
JUDGE

Whether Reasoned/Speaking

Yes/No

Whether Reportable

Yes/No