

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

CRM-M-27989-2016 (O&M)

Date of decision : 19.10.2016

Inja

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Saleem Ahmed, Advocate for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana,
assisted by HC Mahesh Kumar.

JITENDRA CHAUHAN, J. (Oral)

The petitioner seeks pre-arrest bail in case FIR No.137 dated 13.05.2016, registered under Sections 186, 332, 353 and 307 of the Indian Penal Code and Section 3 of the PDPP Act, at P.S. Tauru, Distt. Mewat.

It is contended that the petitioner is not named in the FIR. He is neither the driver, nor the owner of the truck in question. The only incriminating evidence against the petitioner is the statement of Constable Shamsheer Singh, who has stated that at the given point of time, the vehicle in question was being driven by the petitioner. He submits that the said constable and the petitioner are not previously known to each other, therefore, an effort is being made to falsely implicate him in the instant case. The petitioner has joined the investigation in terms of the orders passed by this Court.

On the other hand, learned State counsel has opposed the instant petition. He, on instructions, states that though the petitioner has

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joined the investigation but he is not cooperating.

Heard.

The petitioner is neither named in the FIR, nor he is the driver or owner of the vehicle in question. The veracity of the statement of Constable Shamsher Singh, which is statedly based on some secret information, shall be tested during trial. The petitioner has repeatedly joined the investigation. He is not involved in any other case.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 16.08.2016, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned.

The petition stands allowed.

However, nothing noticed hereinabove shall be construed as an expression of opinion of this Court, on the merits of the case.

19.10.2016
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(JITENDRA CHAUHAN)
JUDGE

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