

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

**Criminal Misc. No. M-28768 of 2016
Date of Decision:-06.10.2016**

Aashif @ Mulla

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Ivneet Singh Pabla, Advocate
for the petitioner.

Mr. Vishal Garg, Additional A.G., Haryana.

HARI PAL VERMA J.(Oral)

This is the second bail application filed by the petitioner under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.327 dated 12.11.2015, under Sections 148, 149, 323, 506 and 307 IPC and Section 25 of the Arms Act, registered at Police Station Line Paar, Bahadurgarh, District Jhajjar.

The earlier bail application i.e. CRM No.M-15341 of 2016 filed by the petitioner was dismissed as withdrawn by this Court after hearing the matter at length. Learned counsel for the petitioner states that there is no allegation against the petitioner in the FIR. He states that the petitioner was not seen in the CCTV footage.

However, learned State counsel on instructions from ASI Vijay

Pal states that the petitioner has already been declared proclaimed person vide order dated 1.3.2016 and the fire-arm and lathi used in the crime is still required to be recovered from him.

In view of the fact that the petitioner has already been declared proclaimed person and the fact that fire-arm and lathi are yet to be recovered from him, no ground for grant of benefit of anticipatory bail to the petitioner is made out.

Dismissed.

October 06, 2016
Vijay Asija

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned

Yes / No

Whether Reportable

Yes / No