

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No. M-29964 of 2016

Date of Decision: 08.09.2016

Rajesh alias Nittu

...Petitioner(s)

Versus

State of Haryana

...Respondent(s)

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

Present:- Mr. Sandeep Singh Ghangas, Advocate
for the petitioner.

Mr. Manish Bansal, DAG, Haryana.

HARI PAL VERMA J.(Oral)

Prayer in the present petition filed under Section 439 of the Code of Criminal Procedure, 1973 is for grant of regular bail to the petitioner in case FIR No.142 dated 27.3.2016 under Sections 148/149/307 of the Indian Penal Code, 1860 and Section 25 of the Arms Act registered at Police Station City Fatehabad, District Fatehabad.

Learned counsel for the petitioner states that except the presence of the petitioner at the time of alleged incident, there is no allegation against him. He has not been attributed any injury. He further submits that even the co-accused namely Amarjeet, who raised *lalkara* has been admitted on regular bail by this Court in CRM-M-25174-2016

Amarjeet v. State of Haryana vide order dated 29.7.2016.

Learned State counsel, on instructions from ASI Jug Lal, submits that though no injury was attributed to the petitioner, but he was present at the scene of occurrence with a stick (binda).

I have heard learned counsel for the parties.

Considering the fact that the only allegation against the petitioner is that he was present at the scene of occurrence and he is in custody since 2.7.2016 and the trial will take sufficiently long time, the present petition is allowed. The petitioner is admitted on regular bail subject to his furnishing of bail bonds/surety bonds to the satisfaction of the trial Court.

It is made clear that expression made hereinabove shall not be construed as any opinion on the merits of the case.

September 08, 2016
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No