

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

Date of decision : October 27, 2016

1. CRM-M No.35835 of 2016

Saman @ Samandeep vs State of Haryana

2. CRM-M No.38262 of 2016

Gurjeet @ Sonu vs State of Haryana

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Ashok Giri, Advocate
for the petitioners.

Mr. Satish Saini, DAG Haryana

Ajay Tewari, J (Oral)

This order shall dispose of both the aforesaid petitions as the same arise from the same FIR.

The petitioners seek grant of anticipatory bail in case FIR No.134, dated 27.2.2016, registered under Sections 302, 307, 148, 149, 120-B of the IPC and Sections 25, 27, 54, 59 of the Arms Act, at Police Station City Sirsa.

As per the allegations, the deceased was dragged inside the

shop where the petitioners and other persons were present and was killed.

Counsel for the petitioners has argued that the CCTV coverage would show that the deceased was brandishing a sword and had actually come to kill the petitioners. It was in these circumstances that he was shot by Harnek Singh @ Mattu who is in jail.

Counsel for the respondent, on instructions from SI Indraj, states that in the CCTV footage it is seen that petitioner-Saman @ Samandeep had dragged the deceased when Mattu had shot at him. He, however, admits that both the petitioners were unarmed.

In these circumstances, without commenting upon the merits of the case, I do not deem it appropriate to deny the concession of anticipatory bail to the petitioners. Consequently, the petitioners are directed to appear before the Investigating Officer on 7.11.2016 or on any other day on which the Investigating Officer requires their presence, and in the event of their arrest, the petitioners shall be released on anticipatory bail by the Investigating Officer to his satisfaction subject to the compliance of the provisions as contained in Section 438(2) of the Cr.P.C. The petitions stand disposed of.

(AJAY TEWARI)
JUDGE

October 27, 2016

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Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No