

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

CRM-M-37551-2016

Date of decision : 11.11.2016

Majeed

..... Petitioner

versus

State of Haryana and another

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. N.S. Shekhawat, Advocate
for the petitioner.

Mr. Kuldeep Tiwari, Addl. A.G, Haryana.

Mr. Saurabh Sharma, Advocate
for respondent No.-2, complainant.

AJAY TEWARI, J. (Oral)

This is a petition for grant of anticipatory bail to the petitioner under Section 438 Cr.P.C. in case FIR No.716 dated 31.12.2015 registered under Sections 302 IPC at P.S. Punhana, District Mewat.

As per the allegations in the FIR, Abdul Khan was stabbed by his nephew namely Alim. The next morning son of the deceased got recorded

his statement and stated that the petitioner had got hold of the deceased and thereby facilitated his murder. The police however found that petitioner was not on the spot and consequently did not challan him. Later, during evidence, the son of the deceased got recorded his statement and it was in those circumstances that the Court summoned the petitioner under Section 319 Cr.P.C to face trial.

Learned counsel for the petitioner has argued that from the both statements of the son of the deceased before the police and in Court it is clear that the petitioner has himself not witnessed the occurrence but has come afterwards on hearing the screams of his father. Secondly, the police rightly found that the petitioner was not present on the spot, and thirdly on the next morning after the murder the son of the deceased implicated the entire family of Alim. Learned counsel for the complainant and DAG have argued that the petitioner was specifically named by the son of the deceased.

Be that as it may, in these circumstances, without commenting upon the merits of the case I do not deem it appropriate to deny the concession of anticipatory bail. The petitioner is directed to surrender before the trial Court.

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Anuradha
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I attest to the accuracy and
integrity of this document

On appearance in Court, he shall be released on bail to its
satisfaction.

November 11, 2016
anuradha

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No