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

CRM-M-39634 of 2016

Date of decision: November 11, 2016

Devi Lal

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE A.B. CHAUDHARI

Present: Mr. Vishal Malik, Advocate for the petitioner.

Mr. A.S. Yadav, AAG Haryana.

A.B. CHAUDHARI, J (Oral)

Heard learned counsel for the rival parties.

In FIR No.1284 dated 08.11.2015, under Sections 302, 120-B of Indian Penal Code, 1860 (for short 'IPC') and Section 25 of Arms Act, 1959, registered at Police Station Chandni Bagh, Panipat, District Panipat, the petitioner seeks regular bail who was arrested on 16.12.2015 and is in jail since then.

Learned State counsel submits that the evidence against the petitioner is in the form of disclosure statement by the accused Rakesh alias Pappu. He further submits that there is no evidence of conspiracy under Section 120 IPC.

In my opinion, prima-facie, the petitioner is entitled to bail as the angle of conspiracy will have to be provided by evidence.

In that view of the matter, this petition is allowed.

Petitioner be released on bail subject to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned who may impose such

conditions as deem fit and proper. Petitioner shall not tamper with the prosecution evidence, threaten or exercise any influence on the prosecution witnesses.

(A.B. CHAUDHARI)
JUDGE

November 11, 2016

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No