

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

CRM-M No.40815 of 2016.

Date of Decision: 05.12.2016.

Vikas

....Petitioner.

VERSUS

State of Haryana

....Respondent.

CORAM: HON'BLE MRS. JUSTICE SNEH PRASHAR.

Present: Mr. R.S. Rai, Senior Advocate with
Mr. Anurag Arora, Advocate for the petitioner.

Mr. Karan Sharma, Assistant Advocate General, Haryana
assisted with ASI Satish Kumar.

SNEH PRASHAR, J.

By way of this petition, the petitioner has sought regular bail in case First Information Report No.355 dated 01.12.2014 under Sections 302, 120-B, 285 of the Indian Penal Code and Section 25/54/59 of the Arms Act registered at Police Station Farrukh Nagar, District Gurgaon.

The accusation against the petitioner is that he was travelling in the jeep being driven by Harish son of Jitender, resident of village Patli, which was intentionally struck against Subhash, brother of complainant Ravinder, who was run over 2-3 times and was killed.

The petitioner was not challaned by the police and was summoned as an additional accused by learned trial Court invoking the provisions of Section 319 of the Code of Criminal Procedure. As per the

the last 01 year and 29 days. Also on instructions from ASI Satish Kumar, learned State counsel submits that the complainant and the eyewitness of the occurrence have already been examined by the prosecution during the trial. Co-accused of the petitioner namely Jaibir alias Kadar, against whom there were identical allegations, has already been enlarged on bail vide order of this Court dated 14.07.2015.

Considering the fact that the witnesses relating to the occurrence have already been examined and the completion of trial is still likely to take some time, there appears no plausible ground to further detain the petitioner in custody. Also on the ground of parity, the petitioner is entitled to bail and accordingly his petition is allowed. He is enlarged on bail on his furnishing bail/ surety bonds to the satisfaction of Chief Judicial Magistrate/ Duty Magistrate, Gurgaon.

(SNEH PRASHAR)
JUDGE

05.12.2016
jitender sharma

Whether speaking/ reasoned : Yes

Whether Reportable : No