

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-41109-2016

Date of decision: November 18, 2016.

Mohit and another

... **Petitioners**

v.

State of Haryana

... **Respondent**

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

Present: Shri Vipul Jindal, Advocate for the petitioners.

Ms. Tanushree Gupta, Deputy Advocate General, Haryana.

A.B. Chaudhari, J. (Oral):

Notice of motion to the respondent-State. Service is dispensed with.

Rule. Heard forthwith. Perused the FIR.

The petitioners seek anticipatory bail in FIR No.151 dated 6.4.2015, under Sections 302/34 IPC and 25 of the Arms Act, registered at Police Station Kharkhoda, District Sonapat.

The petitioners were declared innocent by the Investigating Officer/DSP and during trial, they have been summoned now by the trial court by taking resort to Section 319 Cr.P.C. The trial court has rejected the application for grant of bail. The trial is thus going on.

I have perused the FIR. The role attributed to the petitioners is that they had caught hold of deceased Sadhu and thereafter the main accused Vikram had fired three shots at him from the pistol. Looking

to the role played by the petitioners, in my opinion, the relief of grant of bail during trial deserves to be allowed.

In that view of the matter, the petitioners shall be released on bail upon surrender before the trial court to the satisfaction of the trial court which shall also be entitled to impose such conditions for grant of bail as are deemed fit and proper.

Petition is allowed.

[A.B. Chaudhari]
Judge

November 18, 2016.
kadyan

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No