

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

295

CRL. MISC. No.M-41701 OF 2016
DATE OF DECISION : 28th NOVEMBER, 2016

Amit & others

.... Petitioners

Versus

State of Haryana

.... Respondent

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

* * * *

Present : Mr. Rajat Gautam, Advocate for the petitioners.

Mr. Surender Singh, AAG, Haryana.

* * * *

A. B. CHAUDHARI, J. (ORAL)

The petitioners have filed this petition under Section 439 Cr.P.C. seeking regular bail in FIR No.325 dated 18.08.2016 registered under Sections 379-B, 365 IPC, 1860 and Section 25 of the Arms Act, 1959 at Police Station Kharkhoda, District Sonapat.

Heard learned counsel for the rival parties.

The petitioners have been prosecuted in the above said FIR. Learned counsel for the petitioners has shown the deposition of the complainant himself. Perusal of the evidence of the complainant namely examination-in-chief and cross-examination clearly shows that the complainant has stated that none of the accused persons, including the present petitioners, were at all the same persons who had committed the robbery or looted the liquor from the truck. Thus he was declared hostile by the prosecution and was cross-examined by the public prosecutor.

In view of the above, the petition is allowed.

Bail to the satisfaction of the concerned CJM/Duty
Magistrate, subject to the direction aforesaid.

28th NOVEMBER, 2016
‘raj’

(A. B. CHAUDHARI)
JUDGE

Whether speaking/reasoned:	Yes	No
Whether Reportable:	Yes	No.