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

CRM-M-42793 of 2016

Date of decision: December 06, 2016

Ram Bhagat

.....Petitioner

Versus

State of Haryana

.....Respondent

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

Present: Mr. Johan Kumar, Advocate for the petitioner.

Ms. Tanushree Gupta, DAG Haryana.

A.B. CHAUDHARI, J (Oral)

Heard learned counsel for the rival parties.

In FIR No.28 dated 18.01.2016, under Sections 302, 34 of Indian Penal Code, 1860, registered at Police Station Safidon, District Jind, the petitioner has been summoned under Section 319 of Code of Criminal Procedure, 1973 and is in custody pursuant to the said order made by the trial Court.

This is a petition for regular bail. I have perused the impugned order dated 04.11.2016 passed by the trial Court. The allegations against the petitioner appears to be that the deceased and one more person Sanjay alias Sanjeev were two employees in his shop and the Bajinder was found murdered in the shop of the complainant. Prima-facie, I find that the petitioner was initially declared innocent by the police and that report was accepted by the SDJM and accordingly, the petitioner was discharged finding no prima-facie case against him.

In my opinion, the petitioner deserves to be released on bail looking to the nature of the story and the nature of evidence, namely, the association of the petitioner at the relevant time which was found to be a natural association.

Hence, this petition is allowed. Petitioner be released on bail to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned. The petitioner shall not tamper with the prosecution evidence nor threaten the prosecution witnesses.

(A.B. CHAUDHARI)
JUDGE

December 06, 2016

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No