

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-6167 of 2016 (O&M)
Date of Decision: 11.3.2016

Manoj @ Vinod

--Petitioner

Versus

State of Haryana

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Lajpat Sharma, Advocate for
Ms. Garima Sharma, Advocate for the petitioner.

Mr. Anmol Malik, A.A.G., Haryana.

TEJINDER SINGH DHINDSA.J

This order shall dispose of the present petition filed under Section 439 Cr.P.C seeking the benefit of regular bail to the petitioner in case F.I.R. No.111 dated 16.2.2015 under sections 307, 285, 120-B, 216 I.P.C read with section 34 I.P.C and sections 25, 54, 59 of Arms Act, registered at Police Station, City Bhiwani.

Learned counsel for the parties have been heard.

FIR was registered on the statement of Ajay Kumar son of Arjun Dass. Occurrence is stated to be of 16.2.2015. Complainant stated that his father was running a dhaba near Railway Station, Bhiwani and at about 8.30 PM three boys on a motorcycle had come, out of whom two boys came down and the third remained on the motorcycle. One of the boys is stated to have fired two shots towards complainant Ajay Kumar as also his aunt's son who was allegedly present on the spot. All three are stated to have thereafter fled away from the spot.

It is a case of no injury. None of the assailants were recognized and therefore not even named by the complainant.

In so far as the present petitioner is concerned, he is sought to be implicated on the disclosure statement of co-accused Sandeep. Even as per prosecution version, the present petitioner was not present at the spot on the date of occurrence i.e. on 16.2.2015 but he is stated to be part of the conspiracy which was hatched one day prior thereto and is sought to be roped with the aid of Section 120-B I.P.C.

Petitioner is in custody since 24.3.2015. This Court has been apprised that the trial is still at the initial stage inasmuch as out of the 27 prosecution witnesses cited only four have been examined till date.

Without making any observations on merits, present petition is allowed. Petitioner be enlarged on bail subject to satisfaction of C.J.M./Duty Magistrate, Bhiwani.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

11.3.2016
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