

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

**CRM-M No.6504 of 2016 (O&M)
Date of Decision: 05.05.2016**

Akhtar Hussain

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Arafat Hussain, Advocate for the petitioner.

Mr. Yashwinder Singh, Deputy Advocate General, Haryana
for the respondent/State assisted by D.S.P. Mahabir Singh.

Mr. Amit Jain, Advocate for the complainant.

JASWANT SINGH, J. (Oral)

Prayer is for grant of regular bail under Section 439 Cr.P.C. to the petitioner-Akhtar Hussain in case FIR No.471 dated 03.09.2015 for the offences punishable under Sections 148, 149, 323, 452, 307, 302 of the Indian Penal Code and Sections 25/54/59 of the Arms Act, registered with Police Station Punhana, District Mewat.

The dispute between the group aligned to the Sarpanch-Talib and his opponent Usman, Ex-Sarpanch erupted at the time of finalization of preparation of a Voter List for the ensuing elections of Gram Panchayat Village Jadoli, Tehsil Punhana, District Mewat. The accused group is the one aligned to Talib and is alleged to have thrown stones on the opposite group and the main accused-Talib is alleged to have fired shots from a country made pistol in the air. The Pelting of stones has resulted into the injuries to some persons and also alleged to have caused death of one minor girl Manisha on account of injuries sustained by her. The gun shot in the air have

resulted into the death of one Imtiaz son of the complainant Nijar, who was studying on the rooftop of the adjacent house.

The role attributed to the petitioner-Akhtar Hussain is that of bricks batting on the injured person and also dead body of Manisha was recovered from his house.

The petitioner is stated to be in custody since 02.09.2015 and evidence of 39 cited prosecution witnesses is yet to commence.

Learned State Counsel, assisted by DSP Mahabir Singh and learned Counsel for the complainant, is unable to refute the custody period and the stage of the trial, as also the role attributed to the petitioner, however, opposes the grant of bail to the petitioner.

After arguing for sometime, learned Counsel for the petitioner prays for permission to withdraw the present petition.

Dismissed as withdrawn.

May 05, 2016
Gagan

(JASWANT SINGH)
JUDGE