

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

CRM No.M-7010 of 2016

Date of decision: 15.07.2016

Mukesh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Aditya Jain, Advocate for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana
assisted by ASI Dharam Pal.

Jitendra Chauhan, J. (Oral)

By filing the present petition(s) under Section 438 of the Code of Criminal Procedure, the petitioner(s) has sought pre-arrest bail in case FIR No.740, dated 19.11.2015, registered under Sections 307, 342 read with Section 34 IPC and Section 25 of Arms Act, at Police Station City, Palwal.

It is contended that the petitioner has been falsely implicated in the present case. He further contends that in pursuance of order dated 26.02.2016, the petitioner has joined the investigation.

On the other hand, the learned State counsel opposes the bail application and states that though the petitioner has joined investigation, however, he is not cooperating and the recovery of

country made pistol is yet to be effected. The petitioner has been specifically named by the alleged abductees in their statement recorded under Section 164 Cr.P.C.

Heard.

Perusal of the record would reveal that the petitioner has been specifically named in the FIR as well as in the statement of four abductees, namely, Siraj, Gurdeep, Kaleem and Nazakat. Though the petitioner has joined investigation, however, keeping in view the fact that the petitioner is main accused in the present FIR and his key role, this Court is not inclined to grant pre-arrest bail at this stage.

Dismissed.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

15.07.2016

sumit.k

(JITENDRA CHAUHAN)
JUDGE