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

CRM-M-8202 of 2016

Date of decision: August 12, 2016

Anil @ Ganja @ Leela

.....Petitioner

Versus

State of Haryana

.....Respondent

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

Present: Mr. Sajjan Singh Malik, Advocate
for the petitioner.

Ms. Tanushree Gupta, DAG Haryana.

A.B. CHAUDHARI, J (Oral)

Heard learned counsel for the rival parties and perused the order dated 12.07.2016 when this Court had sought the status of the trial .

Learned State counsel, on instructions from Assistant Sub Inspector Ashok Kumar as well as counsel for the petitioner state that both the eye witnesses have been examined and though, they are closely related to the deceased have turned hostile. According to him, there is no other eye witness left. Undoubtedly, as the counsel for the State submits that the petitioner is having in addition three more cases against him and total number of cases is six. Petitioner was arrested on 02.12.2014 in FIR No.81 dated 30.01.2013, under Sections 449, 302, 34, 120-B and 216 of Indian Penal Code, 1860 and Sections 25, 54, 59 of Arms Act, 1959, registered at Police Station City Rohtak, District Rohtak and is in Jail since then.

Be that as it may, since the petitioner was arrested on 02.12.2014 and is in Jail since then and prosecution has examined the material witnesses, it is prima-facie a case for bail, though, other serious offences are registered against the petitioner.

In that view of the matter, this petition is allowed. Petitioner be released on bail subject to the satisfaction of the learned Chief Judicial Magistrate concerned. Petitioner shall not tamper with the prosecution evidence.

(A.B. CHAUDHARI)
JUDGE

August 12, 2016

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No