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

CRM-M-11229 of 2017 (O&M)

Date of decision: July 27, 2017

Deepak @ Dimpy

.....Petitioner

Versus

State of Haryana

.....Respondent

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

Present: Mr. Sanjay Vashisth, Advocate for the petitioner.

Mr. Chetan Sharma, AAG Haryana.

Dr. Surya Parkash, Advocate
for the applicant-complainant.

A.B. CHAUDHARI, J (Oral)

CRM No.21058 of 2017

Heard.

Application is allowed, subject to all just exceptions and

Annexures R-1 and R-2 are taken on record.

CRM-M-11229 of 2017

Heard learned counsel for the rival parties.

Petitioner seeks grant of regular bail in FIR No.529 dated
11.09.2016, under Sections 148, 149, 302, 323, 506, 120-B of Indian
Penal Code, 1860, registered at Police Station S.G.M. Nagar
Faridabad, District Faridabad.

It is not in dispute that the petitioner was arrested and the
challan has been filed. The only evidence against the petitioner is

about the call details that petitioner was making to the accused persons who were the assailants and thus, was a main conspirator. In my opinion, since the call details are always in the custody of the Court, there is no point in detaining the petitioner in jail particularly because there is no allegation against the petitioner of making assault along with other co-accused persons. The evidence regarding call details which is in the custody of the Court, cannot be tampered with.

In that view of the matter, this petition is allowed. Petitioner shall be released on bail subject to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned. Petitioner shall not tamper, influence and threaten the prosecution witnesses and complainant as well.

(A.B. CHAUDHARI)
JUDGE

July 27, 2017

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No