

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

CRL. MISC. No.M-12334 OF 2017 (O&M)
DATE OF DECISION : 26th APRIL, 2017

Dinesh

.... Petitioner

Versus

State of Haryana

.... Respondent

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

* * * *

Present : Mr. Deepkaran Dalal, Advocate for the petitioner.
 Mr. Chetan Sharma, AAG, Haryana.

* * * *

A. B. CHAUDHARI, J. (ORAL)

Heard learned counsel for the rival parties and perused the FIR in question, namely, FIR No.487 dated 25.07.2015, registered under Sections 148, 302, 201, 435, 365,120-B IPC read with Section 149 IPC and Section 25 of Arms Act at Police Station Sadar Palwal, District Palwal.

The petitioner is in custody for about one and half year. Admittedly, the petitioner has not been named in the FIR. Learned State counsel as well as learned counsel for the complainant strenuously and vehemently contended that the petitioner is a conspirator in the offence in question and, therefore, he can not be released on bail. They have shown the evidence namely the call record transcript.

I have seen the transcript of the call records. But I do not find any overt act as such for the alleged offence of commission of murder. There is no direct evidence against the petitioner. The only evidence and the allegation against him is that he being a member of gang for hatching the conspiracy. The evidence regarding call record

etc., obviously can not be tampered with. Now the charge sheet has been filed. In the absence of any criminal antecedents, this Court is inclined to allow the petition for bail.

In that view of the matter, the petitioner is ordered to be released on bail to the satisfaction of learned Trial Court.

26th APRIL, 2017
'raj'

(A. B. CHAUDHARI)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>