

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

CRM -M-13642 of 2017 (O&M)

Date of decision: 03.05.2017

Vinod

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Keshav Pratap Singh, Advocate for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.

Jitendra Chauhan, J. (Oral)

By filing the present petition, under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in FIR No. 33 dated 25.01.2016, registered under Sections 302, 120-B of IPC and Section 25 of Arms Act, at Police Station Hodal, District Palwal.

It is contended that the petitioner is not named in the FIR. The petitioner has been falsely introduced in the FIR on the basis of supplementary statement of main accused made on next day of registration of the present FIR. The daughter of the complainant was allegedly done to death by co-accused, Dheeraj @ Kalwa who subsequently committed suicide. It is further asserted that the complainant has not supported the case of the prosecution and he has

been declared hostile. The similarly situated co-accused, Bharat Pal has been granted the concession of regular bail by this Court, vide order dated 28.04.2017. The petitioner is in custody since 27.01.2016.

On the other hand, the learned State counsel opposes the bail application.

I have heard learned counsel for the parties and perused the record.

Considering the fact that the similarly situated co-accused, Bharat Pal has been granted the concession of regular bail by this Court, vide order dated 28.04.2017 and that the complainant, Hari Mohan has not supported the prosecution version, without advertng to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of trial, on his furnishing bail bonds and surety bonds to the satisfaction of the trial Court.

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

03.05.2017

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No