

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

CRM-M-15260-2017 (O&M)

Date of decision: 17.05.2017

DHARMENDER

...Petitioner(s)

Versus

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present : Mr. R.N. Lohan, Advocate for the petitioner (s).

Mr. Neeraj Poswal, AAG, Haryana
assisted by ASI Dilbag Singh.

Mr. Ajay K. Kansal, Advocate for the complainant.

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.269 dated 18.04.2016, registered under Sections 307, 216 and 120-B read with Section 34 IPC and Section 25 of the Arms Act, at Police Station Jind City, Distt. Jind.

Contents that the petitioner has been introduced in the present FIR on the strength of Section 120-B IPC but beyond that, no overt act has been attributed to the petitioner. He is in custody since 10.06.2016. Complainant-Sushil as well as injured witness, Purshottam stand examined.

On the other hand, the learned State counsel submits that the petitioner is a person of criminal antecedents. He is in fact the conspirator

and assailants were also hired by him.

The learned counsel for the complainant states that the petitioner had tried to influence the process of the investigation by making a phone call to Inspector Rohtash and subsequently circulated it on whatsapp. However, on a complaint made by Inspector Rohtash, FIR No.196 dated 09.06.2016 was registered, wherein the petitioner has been admitted to bail.

Heard.

Considering the custody period of the petitioner and the fact that it is a second bail petition and at this stage the examination of complainant-Sushil Kumar and injured witness-Purshottam is a favourable circumstance in favour of the petitioner and the complainant is also not a person with clean antecedents, no purpose would be served in keeping the petitioner behind the bars.

Accordingly, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, on his furnishing bail bonds and surety bonds, to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

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

17.05.2017

ashok

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes / No
Yes / No