

Sr. No.211

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

CRM No. M- 19178 of 2017 (O&M)

Date of Decision:31.05.2017

Vinay

... Petitioner

Versus

State of Haryana

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

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

Mr. C.S. Bakshi, Addl. AG, Haryana.

TEJINDER SINGH DHINDSA, J.(ORAL)

Petitioner seeks benefit of regular bail pending trial in
FIR No.81 dated 23.02.2016, under Sections 323, 324, 365, 302, 377,
452, 201 and 34 of Indian Penal Code, registered at Police Station
City Bahadurgarh, District Jhajjar.

Counsel for the parties have been heard.

FIR came to be registered on the statement of Sukhbir
Singh, who stated himself to be the owner of a Service Station. The
complainant asserted that on 20.02.2016, when he reached at
Service Station in the morning hours, he was informed by
employee namely Murari that on the previous intervening night, at
about 1.30/2.00a.m., 3-4 unknown boys came on two motorcycles
and inflicted injuries upon Murari as also co-employee Gajender
and also abducted them.

The body of Gajender was recovered two days thereafter.

It so transpires that in the statement recorded of Murari, under Section 161 Cr.P.C., he named one Harish. Harish in turn has taken the name of Ankur and the present petitioner.

The petitioner, as such, is sought to be implicated on the disclosure statement of co-accused.

The petitioner has faced arrest since 04.03.2016.

It has gone un-controverted that during the course of trial, Murari, who was an injured eye witness as also the complainant Sukhbir Singh, have not supported the prosecution version.

Without making any observations on merits, the petitioner is held entitled to the benefit of bail.

Petitioner be enlarged on bail subject to satisfaction of trial Court/Duty Magistrate, Jhajjar.

Petition disposed of.

31.05.2017

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**(TEJINDER SINGH DHINDSA)
JUDGE**

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