

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-19293-2107

Date of decision: May 31, 2017.

Akshay

... **Petitioner**

v.

State of Haryana

... **Respondent**

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

Present: Shri Birinder Singh Khehar, Advocate for the petitioner.

Shri Chetan Sharma, Assistant Advocate General, Haryana.

**A.B. Chaudhari**, J. (Oral):

Heard learned counsel for the rival parties.

The petitioner seeks regular bail in FIR No.382 dated 15.8.2016, registered under Sections 307, 452, 506, 120-B, 216, 202, 34 IPC, Police Station Sample, District Rohtak. The petitioner was arrested on 12.10.2016 and is in jail since then.

I have perused the FIR. The petitioner has not been named in the FIR. However, it is claimed by the prosecution, as is clear from para 8 of the impugned order, that the petitioner himself disclosed about the revolver that was recovered from a third person which was used to cause fire arm injury to Vinod Sarpanch and it was recovered from Rajender @ Raje.

Looking to the above attribution to the petitioner, in my opinion, the petitioner would be entitled to the grant of bail in the absence of prima facie evidence about the aforesaid offence. Hence, the petition is allowed. The petitioner be released on bail to the satisfaction of the trial

court/CJM/Duty Magistrate concerned. The petitioner shall not however influence the witnesses or tamper with the prosecution evidence.

May 31, 2017.  
*kadyan*

Whether speaking/reasoned  
Whether reportable

[ A.B. Chaudhari ]  
Judge

Yes/No  
Yes/No