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

CRM-M-39622 of 2016

Date of decision: February 28, 2017

Rahul

.....Petitioner

Versus

State of Haryana

.....Respondent

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

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

Ms. Tanushree Gupta, DAG Haryana.

A.B. CHAUDHARI, J (Oral)

Heard learned counsel for the rival parties.

In FIR No.171 dated 06.09.2016, under Sections 323, 325, 307, 452, 506, 120-B, 34 of the Indian Penal Code, 1860, registered at Police Station Tigaon, District Faridabad, the petitioner seeks regular bail. The petitioner was arrested on 12.09.2016 and is in jail since then.

I have perused the FIR which does not show mention of name of the petitioner. Nevertheless, learned counsel for the petitioner submits that in statement under Section 161 of the Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') is mentioned as Nanu who is the same as the petitioner. I have seen the statement recorded under Section 161 of Cr. P.C. and find that Sandeep alias Sukha who had fired from his gun and in so far as the petitioner is concerned, he is not attributed any dangerous overt act. In view of the fact that since the

challan has been filed and the trial will take its own time to conclude, I think the petitioner should be granted the relief of regular bail.

In that view of the matter, this petition is allowed. Petitioner is ordered to be released on bail, subject to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned. Petitioner shall not tamper with the prosecution evidence, threaten or exercise any influence on the prosecution witnesses.

(A.B. CHAUDHARI)
JUDGE

February 28, 2017

mahavir

Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No