

Sr. No.210

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM No. M-41925 of 2016 (O&M)

Date of Decision: 03.02.2017

Yunus @Innas

... Petitioner

Versus

State of Haryana

... Respondent

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

Present:- Mr. Gaurav Mohunta, Advocate,
for the petitioner.

Mr. Satish Saini, DAG, Haryana.

TEJINDER SINGH DHINDSA, J.(ORAL)

This order shall dispose of the present petition filed under Section 439 Cr.P.C. seeking regular bail to the petitioner pending trial in case FIR No.184 dated 23.09.2014, under Sections 148, 323, 307, 427, 506 and 302 read with Section 148 of IPC and Section 25 of Arms Act, registered at Police Station Nagina, District Mewat.

Counsel for the parties have been heard.

FIR came to be registered on the complaint of Deen Mohd. in relation to an occurrence that took place on 20.09.2014 and in which one Illiyas is stated to have lost his life.

Even though the name of the petitioner figured in the FIR along with other co-accused but no specific injury had been attributed to the present petitioner on the person of Illiyas. An attribution was to Akhtar co-accused of having fired a shot on the deceased Illiyas.

Petitioner was arrested on 04.08.2016.

During the course of arguments, it has gone uncontroverted that

upon recording of statements of the injured as also other witnesses under Section 161 Cr.P.C., the present petitioner has been attributed a farsa blow on the head of Shamshad. Such injury has been opined to be simple in nature.

None of the witnesses have attributed any injury to the present petitioner upon deceased Illiyas.

State counsel informs the Court that out of 29 prosecution witnesses cited, 11 have been examined till date.

Trial as such would take time to conclude.

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

Petition is allowed. Petitioner be enlarged on bail subject to satisfaction of the trial Court/Duty Magistrate, Mewat.

03.02.2017

vandana

(TEJINDER SINGH DHINDSA)
JUDGE

Whether speaking/reasoned

Yes

Whether Reportable

No