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

CRM-M-42143 of 2016

Date of decision: February 28, 2017

Rakesh Kumar @ Raju

.....Petitioner

Versus

State of Haryana

.....Respondent

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

Present: Mr. Vineet Chaudhry, Advocate for the petitioner.

Ms. Tanushree Gupta, DAG Haryana.

A.B. CHAUDHARI, J (Oral)

Heard learned counsel for the rival parties.

In FIR No.77 dated 14.04.2016, under Sections 398, 401 of Indian Penal Code, 1860 and Sections 25, 54, 59 of Arms Act, 1959, registered at Police Station Parao District Ambala, petitioner was arrested on 14.04.2016 and is in jail since then.

Learned counsel for the petitioner states that petitioner has been falsely implicated in the present case. He is in custody since 14.04.2016 and not involved in any other FIR.

On the other hand, learned State counsel submits that the petitioner along with other accused attempted to commit robbery. She fairly concedes that challan has been filed in this case.

Considering the fact that the petitioner is in custody since 14.04.2016 and looking to the nature of offence, I am inclined to grant bail to the petitioner.

In that view of the matter, this petition is allowed. Petitioner 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. Anything observed herein above shall not be construed as an expression of opinion on the merits of the case.

(A.B. CHAUDHARI)
JUDGE

February 28, 2017

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No