

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

CRL. MISC. No.M-44164 OF 2016
DATE OF DECISION : 17th JANUARY, 2017

Surender @ Sundara

.... Petitioner

Versus

State of Haryana.

.... Respondents

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

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Present : Mr. Sandeep Parkash Chahar, Advocate for the petitioner.
 Ms. Tanushree Gupta, DAG, Haryana.
 Mr. Wazir Singh, Advocate for the complainant.

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A. B. CHAUDHARI, J.

Heard learned counsel for the rival parties.

In FIR No.1284 dated 08.11.2015, registered under Sections 302, 120-B of Indian Penal Code, 1860 (for short 'IPC') and Section 25 of Arms Act, 1959, at Police Station Chandni Bagh Panipat, District Panipat, the petitioner seeks regular bail who was arrested on 21.12.2015 and is in jail since then.

Learned State counsel submits that the evidence against the petitioner is in the form of disclosure statement by the accused Rakesh alias Pappu. He further submits that there is no evidence of conspiracy under Section 120-B IPC.

In my opinion, prima-facie, the petitioner is entitled to bail as the angle of conspiracy will have to be proved by evidence.

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 who may impose such conditions as deem fit and proper. Petitioner shall not tamper with the prosecution evidence, threaten or exercise any influence on the prosecution witnesses.

17th JANUARY, 2017
'raj'

(A. B. CHAUDHARI)
JUDGE

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