

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

(Sr. No.216)

CRM-M-46075-2016

Date of Decision:-March 6, 2017

Virender @ Gabbar

.....Petitioner

V/S

State of Haryana

.....Respondent

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

Present : Mr. Ravi Malik, Advocate,
for the petitioner.
Ms. Tanushree Gupta, DAG Haryana.

A.B. Chaudhari, J. (Oral)

Rule. Heard forthwith with the consent of learned counsel for the rival parties.

In FIR No.629 dated 28.11.2014 registered under Sections 148, 149, 332, 353, 186, 307, 427 and 506 of Indian Penal Code, 1860 at Police Station Hodal, District Palwal, Haryana, the petitioner has been summoned by the trial Court in exercise of power under Section 319 Cr.P.C.. After passing of the said order, the petitioner has not appeared before the trial Court, but sought anticipatory bail, which was rejected by the trial Court.

In my opinion, since the petitioner has been summoned for the first time and the allegations against the petitioner are that he along with co-accused made assault, I think, the petitioner should be allowed to benefit of bail pending trial as the trial will take its own time.

In that view of the matter, this petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing undertaking on affidavit and to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned. The petitioner is directed to cooperate with the investigating agency and shall not tamper with the prosecution evidence.

March 6, 2017

Pankaj

**(A.B. Chaudhari)
Judge**

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No