

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.46166 of 2017 (O&M)
Date of Decision:- 8.12.2017.

Satyawan

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: Hon'ble Mr. Justice Gurminder Singh Gill

Present:- Mr. Rajesh Dhankhar, Advocate for the petitioner.

Mr. Vikas Malik, Deputy Advocate General, Haryana.

Gurminder Singh Gill, J.

Satyawan has filed this petition seeking grant of regular bail in case FIR No.132 dated 27.4.2017, under Sections 307, 364, 397, 34 and 120-B of Indian Penal Code, 1860 and Section 25/54/59 of Arms Act, registered at Police Station Kalanaur, District Rohtak.

The allegations in nutshell are that on 15.4.2017, complainant's friends namely Manjeet @ Manjeeta and Satish @ Buchha came over to him and they consumed liquor at the liquor shop and on the next day when they woke up, the complainant's friends offered to drop the complainant at his house in Kalanour. It is alleged that while on the way when the complainant asked Satish who was driving the car to drop him at New Bus Stand, Kalanaur then Manjeet took out a pistol and pointed the same on the temple of the complainant asking him to sit quietly and said that they had received money to eliminate him. It is further the case of the complainant that the accused thereafter stopped the car about 2-3 kilometers away from Bamla

and pulled out the complainant. While Manjeet fired on the head the complainant, Satish gave blows with knife hitting the head of the complainant and gave beatings to the complainant and thereafter threw him out of the car and also took away an amount of ₹ 27,000/- and a gold ring which the complainant has wearing.

A perusal of the FIR reveals that the petitioner is not named in the FIR and no role whatsoever is attributed to him. The learned State counsel has, however, submitted that in a supplementary statement as well as in the disclosure statement of the accused, it has been revealed that the complainant had some financial dealings with the petitioner and the petitioner owed some amount to the complainant and in order to avoid paying the same he had hired the services of Manjeet and Satish, for eliminating the complainant.

In view of the fact that petitioner is neither named in FIR nor any injury is attributed to petitioner and also bearing in mind that the petitioner has been behind bars since 15.9.2016, and also the fact that challan has already been filed, in my opinion, no useful purpose would be served by keeping the petitioner behind the bars any more. The petition for bail is accepted. The petitioner-Satyawan is directed to be released on regular bail on his furnishing bail bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

8.12.2017.

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No