

**Sr. No.216
IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM No. M-507 of 2017 (O&M)

Date of Decision: 02.02.2017

Nitin

... Petitioner

Versus

State of Haryana

... Respondent

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

Present:- Mr. Surender Saini, Advocate,
for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

TEJINDER SINGH DHINDSA, J.(ORAL)

Petitioner seeks benefit of regular bail pending trial in case FIR No.294 dated 05.08.2014, under Sections 393/398/34 IPC and Section 25 of Arms Act, registered at Police Station City, District Sonapat.

FIR came to be registered on 05.08.2014 on the statement of one Shiv Narayan. Complainant had asserted that while he was at the shop along with his brother and other servants, a young boy with a muffled face came to the shop and demanded a cigarette. On being denied the same, he is stated to have moved back and taken out a pistol from the fold of his pants and pointed the same at the complainant. At this stage, the complainant is stated to have hit such unidentified boy with a wooden board and who thereafter ran away and escaped from the spot along with two other companions on a motorcycle.

Petitioner is sought to be implicated on the disclosure statement of one Rohit Sharma who had been arrested on 09.06.2016 in another case i.e. FIR No. 61 dated 08.02.2016, under Sections 302/34 IPC and Section 25

Petitioner was arrested on 05.10.2016 and the final investigation report having been filed, even charges stand framed under Sections 393 read with 34 IPC against the present petitioner as also co-accused Rahul and Rohit Sharma.

The admissibility of such disclosure statement made by Rohit Sharma would be a material aspect to be examined by the trial Court.

The trial is still at the initial stage.

Without making any observations on merits, 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, Sonapat.

Disposed of.

02.02.2017

vandana

(TEJINDER SINGH DHINDSA)
JUDGE

Whether speaking/reasoned

Yes

Whether Reportable

No