

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

(Sr. No.213)

CRM-M-5713-2017

Date of Decision:-March 24, 2017

Raj Kumar

.....Petitioner

V/S

State of Haryana

.....Respondent

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

Present : Mr. Raman Chawla, Advocate,
for the petitioner.

Ms. Tanushree Gupta, DAG Haryana.

A.B. Chaudhari, J. (Oral)

Heard learned counsel for the rival parties.

In FIR No.68 dated 19.08.2016 registered under Sections 302, 201 and 120-B of Indian Penal Code, 1860 at Police Station Jatusana, District Rewari, the petitioner was arrested on 20.08.2016 and is in jail since then pending trial.

Admittedly, the challan has been filed. Perusal of the challan as well as of the papers, shows that the prosecution is relying on extra judicial confession by the petitioner to Sham Lal. I have gone through the statement of the Sham Lal, which shows that extra judicial confession is by Suresh Kumar and not by the present petitioner. Insofar as the other evidences are concerned, in my opinion, the petitioner would be prima facie entitled to grant of bail pending trial. In that view of the matter, bail petition is allowed. The petitioner-Raj Kumar is ordered to be released on bail subject to the satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned. The petitioner-Raj Kumar is directed to cooperate with the investigating agency and he shall not tamper with the prosecution evidence or influence the prosecution witnesses.

March 24, 2017

Pankaj

(A.B. Chaudhari)
Judge