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

CRM-M-715 of 2017

Date of decision: March 02, 2017

Dhruv Bhagat

.....Petitioner

Versus

State of Haryana

.....Respondent

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

Present: Mr. Rakesh Nehra, Advocate for the petitioner.

Ms. Tanushree Gupta, DAG Haryana.

A.B. CHAUDHARI, J (Oral)

Heard learned counsel for the rival parties.

In FIR No.479 dated 31.07.2015, under Sections 148, 149, 353, 186, 307, 420, 483 of the Indian Penal Code, 1860 (for short 'IPC') and Section 25 of the Arms Act, 1959, registered at Police Station Sadar Bahadurgarh, District Jhajjar, the petitioner seeks regular bail. Petitioner was arrested on 31.07.2015.

As per the prosecution case, the petitioner was driving the car and the other inmates of the car, having been confronted by the police, had fired on the police party and there was narrow escape of the police. Undoubtedly, the offence is very serious in that the police party was fired upon which had gone to confront the persons in the car. Nevertheless, in so far as the petitioner is concerned, except for the fact that the petitioner was driving the car in question, there is no other allegation against him. All the other inmates of the car with an

intention to commit offence in question, fired on the police party. It is only the petitioner whose case can be separated from the other accused persons who were fully knowing about the intention of the persons fired.

Learned State counsel submits that the petitioner has two more cases, one of murder and the other under Section 308 of IPC.

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. He shall appear before the police officer of Police Station Sadar, Bahadurgarh on every Monday, Wednesday and Sunday between 11:00 AM to 5:00 PM till the completion of trial save and except the dates of appearances before the trial Court. Prosecution shall keep surveillance on the petitioner. If the petitioner is found to influence or indulge in any offence, liberty is reserved in favour of the prosecution to apply for cancellation of this order granting bail. Trial shall be completed in any case within 4 months from today. State is directed to examine the witnesses and all other official witnesses expeditiously as possible and the trial shall not be delayed.

(A.B. CHAUDHARI)
JUDGE

March 02, 2017

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No