

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

**CRL. MISC. No.M-7404 OF 2017 (O&M)
DATE OF DECISION : 28th APRIL, 2017**

Raj Kumar @ Raju

.... Petitioner

Versus

State of Haryana

.... Respondent

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

* * * *

Present : Mr. A. K. Jindal, Advocate for the petitioner.

Ms. Tanushree Gupta, DAG, Haryana.

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A. B. CHAUDHARI, J. (ORAL)

The petitioner has filed this petition under Section 439 Cr.P.C. seeking regular bail in FIR No.1332 dated 20.10.2015 registered under Sections 302 and 201 read with Section 34 IPC at Police Station City Gurgaon.

Heard learned counsel for the rival parties.

Learned State counsel submits that there are eight eye witnesses in this case. She has shown evidence of PW-13 and statement of Vishal under Section 161 Cr. P. C. and submits that these are the two witnesses on whom the prosecution relies at the best as other eye witnesses had come to the scene before and after the occurrence.

Upon perusal of the evidence of both the above witnesses, I find that there are direct allegations against Dharmender who was responsible for the death of the Rohit @ Rajan the deceased. In so far the petitioner is concerned, *prima facie*, he is entitled to grant of bail.

In that view of the matter I make the following order:

ORDER

- (i) The CRL. MISC. No.M-7404 OF 2017 is allowed.

- (ii) The petitioner be released on bail to the satisfaction of the concerned CJM/Duty Magistrate.
- (iii) The petitioner shall not tamper or influence the prosecution witness(es).
- (iv) The State will be at liberty to apply for cancellation of bail in case of any further commission of such type of offence by the petitioner.

28th APRIL, 2017
'raj'

(A. B. CHAUDHARI)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>