

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

CRM M-13033 of 2018.

Date of Decision: 04.04.2018.

Satish @ Bucha

... Petitioner

Versus

State of Haryana

... Respondent

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. Sandeep Kumar, Advocate for
Mr. Vikram Singh, Advocate,
for the petitioner.

Mr. Ripu Daman, AAG Haryana
assisted by ASI Jagdish.

JITENDRA CHAUHAN.J.(ORAL)

This is second bail application filed under Section 439 Cr.P.C seeking bail in case FIR No.161 dated 08.05.2016 registered under Sections 302, 148, 120-B read with Sections 34 and 149 IPC and Section 25 of Arms Act at Police Station Civil Line, District Sonipat.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR. Even as per the case of the prosecution, the petitioner had been shown present on the spot and no role has been attributed to him. No recovery was effected from the petitioner. The petitioner has no animosity or motive to kill the deceased. He is in custody since 20.05.2016. It is further stated that the complainant has been examined in the matter. The petitioner is not involved in any other FIR. Identically placed co-accused, Naveen @

Pinku has been allowed bail by this Court vide order dated 15.01.2018 passed in CRM M-48829 of 2017 (A photocopy of order is taken on record as Mark-A).

On the other hand, the learned State counsel states that the presence of the petitioner is made out. However, he fairly states that neither the injury has been attributed to the petitioner nor any recovery was effected from him.

Heard.

This is second bail application. The long incarceration and the examination of the material witnesses including the complainant are fresh circumstances in favour of the petitioner particularly when the similarly placed accused Naveen @ Pinku has been admitted to bail; so, without commenting on the merits of the case, this petition is allowed. The petitioner be admitted to bail during the pendency of trial, on his furnishing bail bonds and surety bonds to the satisfaction of trial Court/duty Magistrate concerned. The petitioner shall also surrender his passport, if any, and shall not leave the country without permission of this Court.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

04.04.2018.

SN

(JITENDRA CHAUHAN)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No