

S.No.207

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

CRM-M-14363 of 2018 (O&M)

Date of Decision:08.08.2018

JoniPetitioner

Vs.

State of HaryanaRespondent

CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Partap Singh, Advocate
for the petitioner.

Mr. Karan Sharma, AAG, Haryana.

Mr. Anil Ghanghas, Advocate
for the complainant.

Rajbir Sehrawat, J.(Oral)

The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of bail pending trial in case FIR No.488 dated 21.08.2017 registered under Sections 148/149/302/120-B/412 IPC at Police Station Meham, Rohtak.

Counsel for the petitioner submits that in the FIR, two sets of accused are mentioned by specifying their role or their presence on the scene of occurrence. The present petitioner is not named in either set of the accused. Therefore, admittedly, the petitioner was not present on the scene of occurrence. The petitioner is in custody since 6th September, 2017. So far, no witness has been examined by the Police. It is further contended that the petitioner is not having any other case against him.

On the other hand, learned State Counsel, on instructions from

SI Hari Om, and being assisted by Mr. Anil Ghanghas, counsel for the complainant, submits that in fact the petitioner is participant in the conspiracy of committing this murder. The petitioner has been named by witness Ram Kumar who claims to have overheard the conversation between the persons hatching the conspiracy. It is not disputed that there is no other case against the petitioner.

In view of the above, but without commenting upon the merits of the case, the present petition is allowed. It is ordered that the petitioner shall be released on bail pending trial on his furnishing bail bonds/ surety to the satisfaction of the trial Court.

August 08, 2018
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(RAJBIR SEHRAWAT)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No