

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Smriti
21.07.2018 P38
I attest to the accuracy and
integrity of this document

CRM-M-17574-2018

Date of Decision: 09.07.2018.

Mohit

...Petitioner

vs.

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Aditya Sanghi , Advocate
for the petitioner.

Mr. Himmat Singh, DAG, Haryana.

ARVIND SINGH SANGWAN,J. (Oral):

Prayer in this petition is for grant of regular bail to the petitioner in case FIR No. 324 dated 06.12.2017 under Sections 307/34/120-B/201 of IPC and Section 25 of the Arms Act, registered at Police Station Civil Lines Bhiwani, District Bhiwani.

Counsel for the petitioner submits that the petitioner is in judicial lock-up since 03.02.2018 and charges have been framed on 13.06.2018, however, out of 33 prosecution witnesses, none has been examined so far.

Counsel for the petitioner further submits that one of the co-accused, namely, Rajat @ Pahari has been granted concession of regular bail by the Additional Sessions Judge, Bhiwani, vide order dated 08.06.2018 observing that co-accused Deepak @ Teenu and Mohit , had fired shots upon Raju but the same inadvertently hit victim Rahul. Counsel further submits that as per the allegations in the FIR, the accused persons had attacked on Raju at the instance of co-accused Deepak @ Teenu. Counsel further submits that the allegations against the petitioner are similar

to the allegations made against co-accused Rajat @ Pahari, who has been granted concession of regular bail vide order dated 08.06.2018.

Learned State counsel, on instructions from ASI Om Parkash, has not disputed the factual position.

Without commenting anything upon the merits of the case, considering the fact that the petitioner is in judicial lock-up since 03.02.2018; out of 33 prosecution witnesses, none has been examined so far and also in view of the fact that the allegations against the petitioner are similar to the allegations made against co-accused Rajat @ Pahari, who has been granted concession of regular bail, this petition is allowed. Petitioner is directed to be released on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate.

09.07.2018
smriti

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned : Yes/No.

Whether Reportable : Yes/No