

CRM-M-20505-2018

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

CRM-M-20505-2018

Date of Decision: 23rd May, 2018

Sanjay

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASI

Present: Mr. J.S. Bedi, Senior Advocate, with
Mr. Sunil Sihag, Advocate, for the petitioner.

Mr. Kuldeep Sharma, DAG, Haryana.

AUGUSTINE GEORGE MASI, J. (ORAL)

Petitioner has approached this Court for grant of regular bail by filing this petition under Section 439 of the Code of Criminal Procedure, 1973, in FIR No.300, dated 01.11.2017, registered at Police Station Civil Lines Bhiwani, under Sections 120-B, 302, 34, 379-B, 109, 506 and 216 of the Indian Penal Code and Sections 25 and 27 of the Arms Act.

It is the contention of the learned senior counsel for the petitioner that the petitioner has not been named in the FIR nor has any role attributed to him in the actual commission of offence, rather his role comes out on the basis of a statement under Section 162 of the Code of Criminal Procedure on 09.02.2018 by the complainant where it has been stated that Sandeep @ Talu, who is alleged to be one of the accused and brother of the petitioner, has been provided with money as well as place to hide after the commission of the offence. He contends that the petitioner is in custody

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since 09.02.2018 and the trial is not likely to conclude in near future. He, therefore, contends that the petitioner is entitled to the benefit of bail especially in the light of the fact that Sandeep @ Talu has been granted the benefit of anticipatory bail by this Court vide order dated 20.04.2018, passed in CRM-M-8501-2018, titled as 'Sandeep Singh @ Talu Vs. State of Haryana'.

Counsel for the State could not dispute the assertions of the learned senior counsel for the petitioner, on instructions from SI Ram Niwas, P.S. Civil Lines Bhiwani. He, however, states that the petitioner is one of the persons, who is involved in the commission of offence and therefore, should not be granted the benefit of bail.

Having considered the submissions made by the learned counsel for the parties and keeping in view the allegations, which have been made against the petitioner with the fact that the trial is not likely to conclude in near future, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail and surety bonds to the satisfaction of the trial Court concerned.

Any observation made herein-above shall have no bearing on the merits of the case during the trial in any manner.

(AUGUSTINE GEORGE MASIH)
JUDGE

23rd May, 2018
Harish

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No