

209.

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

CRM-M-23477-2017

Date of decision:17.12.2018.

RAJBIR

... Petitioner

Versus

STATE OF HARYANA

.... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Bhriagu Dutt Sharma, Advocate,
for the petitioner.

Mr. Manish Bansal, DAG, Haryana.

HARI PAL VERMA, J. (Oral)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner, pending trial, in case FIR No.470 dated 22.10.2016 registered under Sections 307, 452, 34 of IPC read with Section 25 of Arms Act (Sections 302 and 303 of IPC added lateron) at Police Station Narnaud, Hisar.

Learned counsel for the petitioner states that petitioner is in custody since 23.10.2016 and for the same set of allegations, his father Umed has been found innocent by the police during investigation. He has argued that there are total 49 witnesses cited by the prosecution and only two witnesses have been examined so far. Even the said two witnesses i.e. Hawa Singh-the eyewitness and Kamal-the complainant in the case have not stated anything against the petitioner. The allegation against the petitioner is that he conducted recce.

Learned State counsel, on instructions from ASI Rawat Singh, has not controverted the fact that there were similar allegations against Umed-father of the petitioner. However, Umed was found innocent.

I have heard learned counsel for the parties.

Considering the fact that the petitioner is in custody since 24.10.2016 and for the same set of allegations, his father Umed has been found innocent during investigation, coupled with the fact that Hawa Singh-the eyewitness and Kamal-the complainant in the case, have not deposed anything against the petitioner, he is admitted on regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court.

Accordingly, present petition is allowed.

It is made clear that the petitioner shall not directly or indirectly influence any witness and shall not extend any threat.

(HARI PAL VERMA)
JUDGE

17.12.2018
sanjeev

Whether speaking/reasoned
Whether Reportable:

Yes/No.
Yes/No.