

207

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

CRM-M-3957 of 2018

Date of decision: April 20, 2018

Rohit @ Gullu

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE A.B. CHAUDHARI

Present: Mr. Sanjay Vashisth, Advocate for the petitioner.

Mr. Kuldeep Tewari, Addl. AG Haryana.

Mr. Naveen S. Bhardwaj, Advocate for the complainant.

A.B. CHAUDHARI, J (Oral)

Petitioner seeks grant of regular bail in FIR No.258 dated 01.05.2016, under Sections 147, 148, 149, 323, 506, 302, 120-B of Indian Penal Code, 1860 (for short 'IPC') (challaned under Sections 302, 323, 506, 307, 325, 34 IPC), registered at Police Station Sadar Bhiwani District Bhiwani.

Heard learned counsel for the rival parties.

Petitioner-Rohit @ Gullu has been charged for offence under Section 307 IPC. Undoubtedly, one person was murdered and the attribution is to Krishan Kumar who had driven the tractor on the person of the deceased. In so far as the present petitioner is concerned, role attributed to him is that he had given fist and kick blows to the deceased and had given a *gandasi* blow to the other person in respect of whom he has been charged for offence under Section 307 IPC.

Learned counsel for the petitioner has also pointed out the injury that was suffered by the present petitioner.

I have seen the record and find *prima-facie*, at this stage, that the petitioner-Rohit @ Gullu could be said to have committed offence under Section 307 IPC. He has been in jail since the date of his arrest, namely 13.05.2016. In so far as the offence of murder is concerned, he does not appear to be the person causing any serious injury to the deceased.

In that view of the matter, this petition is allowed. The petitioner be released on bail to the satisfaction of the concerned Chief Judicial Magistrate/Duty Magistrate. The petitioner shall not enter the village Kharak Kalan, Tehsil and District Bhiwani till the trial is completed. The petitioner shall not tamper, influence and threaten the prosecution witnesses and complainant as well. The petitioner shall deposit his passport, if he possesses, with the trial Court.

(A.B. CHAUDHARI)
JUDGE

April 20, 2018

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No