

CRM-M No. 39907 of 2017

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

CRM-M No. 39907 of 2017

DATE OF DECISION :- February 22, 2018

Pushpender alias Pushpender Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE H.S. MADAN

Present:- Mr. Ankur Malik, Advocate for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

This petition for regular bail has been filed by petitioner Pushpender alias Pushpender Singh, an accused in F.I.R. No. 326 dated 13.7.2017 for offences under Sections 307, 387, 120-B IPC and Section 25 of the Arms Act registered with Police Station Gohana City, District Sonapat.

Briefly stated the facts of the case as per the prosecution story are that 13.7.2017, two persons with muffled faces went to the shop of Anil Goyal son of Giriraj Goyal situated at Baroda Road, Gohana at about 8.20 P.M. and demanded Rs.50 lacs and they fired shot in the air also. The two boys were later on identified as Amit @ Mota and Inderjit. Both of them have been arrested and are in custody. Name of the present petitioner cropped up during investigation as a co-conspirator to commit the offence having met Krishan at Rohtak Court and Sandeep @ Kala in Sonapat Jail.

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He was arrested on 16.7.2017.

He had moved an application for regular bail, which was dismissed by Additional Sessions Judge, Sonapat vide order dated 3.10.2017, as such he has knocked the door of this Court for grant of regular bail. The petition is being opposed by the State counsel.

I have heard learned counsel for the petitioner, learned State counsel besides going through the record.

Admittedly, it is not a case of the prosecution that petitioner had participated in the incident rather he has been picked as a co-conspirator for the reason that he had been meeting the main accused in the Court Complex/jail. His guilt shall be determined during the trial. The trial though pending is at initial stage and its conclusion is likely to take some time.

Without going into the merits of the case, the present petition is allowed. Petitioner Pushpender alias Pushpender Singh is ordered to be released on bail on furnishing bail bond and surety bond to the satisfaction of the learned trial Court/CJM/Duty Magistrate, Sonapat subject to the following conditions : -

- (i) he shall appear in the Court on each and every date of hearing.
- (ii) he shall not give any threat or intimidation to the prosecution witnesses.
- (iii) he shall not leave India without prior permission of the Court and shall surrender his Passport, if he has got one otherwise to furnish affidavit in that regard.

In addition to that the trial Court may impose any term and

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condition found suitable to ensure that the petitioner does not abscond and interfere in the trial.

In case the petitioner violates any term and condition on which the bail has been granted to him, the order shall be liable to be withdrawn.

(H.S. MADAAN)
JUDGE

February 22, 2018
p.singh

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