

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

**Criminal Misc. No. M-41761 of 2018
Date of decision: 30.11.2018**

Roopram @ Bablu

..Petitioner

Versus

State of Haryana

..Respondent

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Mr. Piyush Aggarwal, Advocate
for the petitioner.

Ms. Tanushree Gupta, DAG, Haryana
for the respondent-State.

Daya Chaudhary, J. (Oral)

The present petition has been filed by petitioner-Roopram @ Bablu under Section 439 Cr.P.C. for grant of regular bail to him in case FIR No.583 dated 21.06.2018 registered under Sections 307 read with Sections 34 and 120-B IPC and Section 25 of the Arms Act, 1959 at Police Station Jhajjar.

Learned counsel for the petitioner submits that the petitioner was not named in the FIR and no role has been attributed to him. The petitioner has been implicated in the case on the basis of disclosure statement made by main accused, namely, Jitender, who has been arrested. No connecting evidence was collected by the Investigating Agency against the petitioner. Main accused fired 5-6 shots directly on the complainant but none hit the body of the complainant. Learned counsel further submits that main accused-Jitender has been shown to have run away from the place of

.....

occurrence by riding on a motorcycle with another accused but not the present petitioner. The petitioner is in custody since 18.08.2018 and nothing was recovered from him.

Learned State counsel has not disputed the custody period as well as the fact that other than disclosure statement, there is no other connecting evidence against the petitioner.

Heard arguments of learned counsel for the petitioner as well as learned State counsel and have also perused the contents of the FIR and other documents available on the file.

In view of the submissions made by learned counsel for the petitioner that the petitioner is in custody since 18.08.2018; main accused-Jitender has been arrested; no evidence has been collected by the Investigating Agency except the disclosure statement, which has no evidentiary value, the present petition is allowed and the petitioner (Roopram @ Bablu) is directed to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court.

30.11.2018
neetu

(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned

Yes

Whether Reportable

No