

CRM-M-4337-2018 (O&M)

Date of decision:08.02.2018

Rahul @ Jaggu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Suresh Ahlawat, Advocate, for the petitioner.

Mr. Naveen Sheoran, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail to the petitioner in case FIR No.342, dated 15.12.2017, under Sections 148, 149, 323, 341, 379-B, 427 and 506 of IPC, registered at Police Station, Sector-9-A, District Gurugram.

Learned counsel for the petitioner submits that the petitioner has clear antecedents and is not involved in any other case. It is further submitted that the petitioner was not named in the FIR and he has been involved on the basis of disclosure statement of the co-accused and investigation against him is complete and only stick has been recovered from him. It is further submitted that the petitioner is in judicial lock up since 20.12.2017 and is no more required for further investigation.

Learned State counsel, on instructions from SI Ashok Kumar, has however, submitted that as per MLR of the complainant, Section 325 IPC has been added and some more co-accused have been arrested.

Without commenting on the merits of the case, considering the fact that the petitioner is not having any criminal record and no specific role has been attributed to the petitioner and also in view of the fact that he is in

judicial custody since 20.12.2017; is not required for further investigation; the present petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing bail /surety bonds to the satisfaction of the trial Court/Illaqa Magistrate/Duty Magistrate.

However, it is made clear that in case, the petitioner is required for further investigation on arrest of other co-accused, it will be open to the Investigating Officer to issue a notice to the petitioner to join the investigation, in accordance with law.

Disposed of.

(ARVIND SINGH SANGWAN)
JUDGE

08.02.2018
Hemlata

Whether speaking/reasoned	Yes / No
Whether reportable	Yes / No