

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

CRM M-4873 of 2018 (O&M)

Date of Decision: 23.02.2018.

Sourabh

... Petitioner

Versus

State of Haryana

... Respondent

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. Sansar Kundu, Advocate,
for the petitioner.

Mr. Ripu Daman, AAG Haryana
assisted by ASI Ramesh Kumar.

JITENDRA CHAUHAN.J.(ORAL)

This is fourth regular bail application filed in case
FIR No.258 dated 28.10.2015 registered under Sections 302, 216 and
120-B read with Section 34 IPC and Section 25 of Arms Act at Police
Station Narwana City, District Jind.

Learned counsel for the petitioner contends that
neither the petitioner is named in the FIR nor was present on the spot.
The petitioner has been falsely implicated in the present FIR at the
behest of the complainant with whom the petitioner has strained
relations. He further asserts that another false FIR was registered
against the petitioner wherein he is on bail.

On the other hand, the learned State counsel opposes
the bail application and submits that main accused Pardeep has made a
statement against the petitioner.

Heard.

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(2)

It is to be noticed that this is fourth bail application filed by the petitioner; he is in custody since 04.11.2015; co-accused Ashok Kumar, who is named in the FIR and specific role has been attributed to him of catching hold of the complainant while he was rescuing his son, has been allowed bail by this Court vide order dated 03.11.2017, (Annexure P-3); complainant Seva Singh has also been examined; these are the fresh circumstances in favour of the petitioner.

Taking into consideration the period of incarceration and the order dated 03.11.2017 coupled with the fact that complainant Seva Singh has already been examined, without commenting on the merits of the case, this petition is allowed. The petitioner be admitted to bail during the pendency of trial, on his furnishing bail bond and surety bonds to the satisfaction of trial Court/duty Magistrate concerned.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

23.02.2018.
SN

(JITENDRA CHAUHAN)
JUDGE

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