

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

Sr. No.208

CRM-M-5781-2018
Date of decision : 23.03.2018

Ashok Kumar Pandey

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Sanjay Kaushal, Sr. Advocate with
Mr. Vivek Khatri, Advocate, for the petitioner.

Mr. Munish Sharma, AAG, Haryana.

Mr. N.C. Kinra, Advocate with
Mr. Harsh Kinra, Advocate, for the complainant.

SUDHIR MITTAL, J. (Oral)

The petitioner seeks anticipatory bail in case FIR No.21 dated 26.01.2018, registered at Police Station Salhawas, District Jhajjar, under Sections 387 and 506 IPC and Section 25 of the Arms Act, 1959.

The parties are ad idem that pursuant to order dated 12.02.2018, the petitioner has joined investigation and is cooperating therewith.

Mr. Harsh Kinra, Advocate, puts in appearance on behalf of the complainant and has submitted that the allegations against the petitioner are that he brandished fire arm and the said fire arm is yet to be recovered. Thus, the custodial interrogation of the petitioner is necessary.

The FIR has been registered on the basis of a dying declaration of Renu. A reading of the said dying declaration reveals that the blame has been laid on the shoulders of the petitioner and the in laws have been exonerated. The death of said Renu has been caused due to burn injuries, allegedly self inflicted on account of harassment at the hands of the petitioner. It has not

been disputed that the deceased-Renu or her husband were not co-sharers in the land in dispute and therefore, the entire story appears to be fabricated.

In view of the above, the petition is allowed and the interim bail granted to the petitioner vide order dated 12.02.2018 is made absolute. It is however, made clear that nothing stated hereinabove would be construed to be an expression of opinion on merits of the case.

(SUDHIR MITTAL)
JUDGE

23.03.2018
Ramandeep Singh

Whether speaking / reasoned
Whether Reportable

Yes / No
Yes/ No