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

CRM-M-6980 of 2018

Date of decision: May 18, 2018

Rajesh @ Kokan

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE A.B. CHAUDHARI

Present: Mr. Rajat Mor, Advocate for the petitioner.

Mr. Siddharth Sanwaria, DAG Haryana.

A.B. CHAUDHARI, J (Oral)

By way of this third petition, petitioner seeks grant of regular bail in FIR No.405 dated 01.11.2014, under Sections 120-B, 34, 392, 397 of Indian Penal Code, 1860 (for short 'IPC'), registered at Police Station Barwala, District Hisar.

Heard learned counsel for the rival parties.

This Court did not grant bail to the petitioner-Rajesh @ Kokan since before the trial Court, material witnesses were not examined. Now, the complainant has been examined and I have seen his evidence. In the examination-in-chief, he has not identified the present petitioner-Rajesh @ Kokan. Looking to his entire evidence, I think the petitioner should also be released on bail as the co-accused by name, Dinesh alias Kala and Aman alias Bachi were also released on bail by this Court.

Learned State counsel submits that there are seven FIRs

pending against the petitioner.

However, the custody certificate shows there are two FIRs against the petitioner and not seven. In the third FIR, he has been acquitted. Since the material witnesses have been examined, I do not think any useful purpose would be served by continuing his detention, particularly in the light of the examination-in-chief that was tendered before the trial Court. However, the petitioner appears to be a dangerous person. In the result, following order is passed:-

ORDER

- (i) CRM-M-6980 of 2018 is allowed;
- (ii) The petitioner be released on bail to the satisfaction of the concerned Chief Judicial Magistrate/Duty Magistrate;
- (iii) The petitioner shall attend police station Barwala, District Hisar, between 11:00 A.M. to 04:00 P.M. on Monday, Wednesday and Sunday every week;
- (iv) Police shall keep surveillance on the petitioner till the trial is completed and in order that he does not tamper the prosecution witness;
- (v) The petitioner shall not tamper, influence and threaten the prosecution witnesses and complainant as well;
- (vi) The petitioner shall deposit his passport, if he possesses, with the trial Court.

(A.B. CHAUDHARI)
JUDGE

May 18, 2018
mahavir

Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No