

Sr. No.205

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

CRM No. M-8501 of 2018 (O&M)

Date of Decision: 20.04.2018

Sandeep Singh @ Talu

... Petitioner

Versus

State of Haryana

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. J.S.Bedi, Senior Advocate with
Mr. Sunil Sihag, Advocate,
for the petitioner.

Mr. Ashish Yadav, Additional A.G., Haryana.

Mr. Sunil Chaudhary, Advocate,
for the complainant.

TEJINDER SINGH DHINDSA, J.(ORAL)

This order shall dispose of the instant petition filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in case FIR No.300 dated 01.11.2017, under Sections 120-B, 302, 34, 379 B, 109, 506, 216 IPC and 25/27 of Arms Act, registered at Police Station Civil Lines, Bhiwani.

On 08.03.2018, the following order was passed by this Court:-

“Petitioner seeks the concession of pre-arrest bail in case FIR No.300 dated 01.11.2017 under Sections 120-B, 302, 34, 379-B, 109, 506, 216 IPC and Sections 25, 27 of Arms Act, registered at Police Station, Civil Lines, Bhiwani.

Briefly noticed, FIR came to be registered on the statement of Vikram Singh. Deceased is Narender @ Banti. Occurrence is stated to be of 01.11.2017. As per complainant's version Deepak @ Tinu and three other unknown assailants had fired at his brother and who has died on account of gun shot injuries.

Present petitioner is not named in the FIR.

He is sought to be implicated on the basis of a disclosure statement suffered by co-accused Deepak @ Tinu. Even as per such disclosure, the present petitioner is alleged to have come in a Tata Safari vehicle and such vehicle having been exchanged with Deepak@ Tinu and who thereafter made good his escape.

Learned Senior counsel appearing for the petitioner would advert to the challan document presented against co-accused including Deepak @ Tinu and as per which five disclosure statements were suffered at different points of time and the version contained therein is not consistent.

List for further consideration on 20.04.2018.

In the meanwhile, petitioner is directed to join investigation.

In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. The petitioner shall join investigation as and when called upon to do so

and he shall remain bound by the conditions as envisaged under Section 438(2) Cr.P.C.”

Learned State counsel upon instructions from SI Ram Niwas, Police Station Civil Lines, Bhiwani apprises the Court that petitioner has since joined investigation.

That apart observations contained in the order dated 08.03.2018 have gone unrebutted.

In view of the above, prayer made in the instant petition is accepted.

Order dated 08.03.2018, passed by this Court is made absolute.

Disposed of.

20.04.2018
vandana

(TEJINDER SINGH DHINDSA)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	No