

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

CRM-M No. 53574 of 2018

Date of decision : 07.03.2019

Lokesh @ Lala

.....Petitioner

Versus

State of Haryana

...Respondent

CORAM : HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present : Mr. Rakesh Kumar Lathwal, Advocate for the petitioner.

Mr. Rajesh K. Sheoran, Addl. A. G., Haryana.

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DAYA CHAUDHARY, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the petitioner in case FIR No.103 dated 13.03.2018 under Sections 302, 34, 120-B of the Indian Penal Code, 1860 (for short - 'IPC') and Section 25 of Arms Act, 1959, registered at Police Station – Kundli, Distt. Sonipat,, during pendency of the trial.

The petitioner is claiming bail on the basis of custody since 14.03.2018 and also the fact that he has been implicated on the basis of disclosure statement with the aid of Section 120-B IPC.

Admittedly, only the challan has been presented and even the charges have not been framed. The allegation of conspiracy under Section 120-B IPC is a matter of evidence which shall be tested by the trial Court after recording statement of the complainant, which has not been recorded so far.

Learned counsel for the petitioner wants to withdraw this petition at this stage with liberty to file fresh one after recording statement of the complainant.

Dismissed as withdrawn with aforesaid liberty.

07.03.2019

sunil yadav

**(DAYA CHAUDHARY)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No