

In the High Court of Punjab and Haryana at Chandigarh

(Proceedings conducted through Video Conference)

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CRM-M-12447 of 2020 (O&M)

Date of Decision: 18.5.2020

Mohit @ Padda

---Petitioner

versus

State of Haryana

---Respondent

Coram: Hon'ble Mrs. Justice Rekha Mittal

Present: Mr. Chanderhas Yadav, Advocate for the petitioner

Rekha Mittal, J.

Mohit @ Padda, accused in FIR No.390 dated 03.11.2019 registered at Police Station, Beri, District Jhajjar, for offence punishable under Sections 307 and 120-B read with Section 34 of the Indian Penal Code and Section 25 of Arms Act prays for grant of regular bail by invoking Section 439 of the Code of Criminal Procedure.

Heard.

Notice of motion to the Advocate General, Haryana.

Ms. Tanisha Peshawaria, DAG, Haryana, appears on behalf of the State of Haryana.

Counsel for the petitioner would argue that all the co-accused in the case have been granted regular bail. No injury has been sustained due to alleged firing. The accused is no longer required for the purpose of investigation. Challan has been presented in the Court and he is ready to face trial. With regard to five other criminal cases against the petitioner, it is

argued that he is acquitted in two of the cases and in the remaining three, he is on bail.

Counsel representing State of Haryana has opposed the plea for grant of bail. However, she did not contest correctness of submissions made by counsel for the petitioner.

The accused is in custody since 03.12.2019. On due investigation of FIR, challan has been presented in the Court. No injury has been caused due to alleged firing. There is no allegation that the petitioner has ever created any hindrance in the Court proceedings in respect of other criminal cases registered against him.

Without meaning to express any opinion on merits of the controversy, bail to the petitioner subject to his furnishing bail bonds to the satisfaction of trial Court/Additional Sessions Judge (on duty), Jhajjar. However, he shall abide by the following conditions:-

(i)He shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer; and

(ii)He shall not leave India without previous permission of the Court.

Disposed of.

(Rekha Mittal)
Judge

18.5.2020

ashok

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No