



**56IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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CRM-M-30329-2024

Decided on : 04.07.2024

MUKESH

... Petitioner(s)

Versus

STATE OF HARYANA AND ANOTHER

... Respondent(s)

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

PRESENT: Mr. Aditya Sanghi, Advocate
for the petitioner(s).

Mr. Anmol Malik, DAG, Haryana.

KIRTI SINGH, J. (Oral)

Prayer in this petition is for grant of anticipatory bail under Section 438 Cr.P.C. in case bearing FIR No.201 dated 16.06.2020 registered under Sections 148, 149, 302, 506, 285 IPC and Section 25 of the Arms Act, registered at Police Station Rohtak Sadar, District Rohtak.

2. Learned counsel for the petitioner has drawn attention towards the contents of FIR (Annexure P-1), lodged on the statement of complainant Kuldeep @ Nanha, the brother of deceased Bhoop @ Bhula, as per which on 16.06.2020 at about 5:45 p.m., when he alongwith deceased and his bhabhi were coming on a bicycle, they were waylaid by Pardeep, Vikram, Meena and Mukesh(petitioner), who fired upon Bhoop @ Bhula, killing him on the spot. It is specifically pointed out that though initially petitioner was named in the FIR but was found innocent by the police. He was never challaned by the police and subsequently after a period of 04 years he has been summoned under Section 319 Cr.P.C. and there is no other criminal case pending against him. Learned counsel for the petitioner places reliance upon the order dated 12.06.2024 passed in CRM-M No. 29761 of 2024, vide which co-accused Swaraj was granted concession of anticipatory bail.



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3. Learned State counsel, in compliance to order dated 21.06.2024 has filed reply dated 29.06.2024 on behalf of the respondent-State, in Court today, which is taken on record.

4. Heard.

5. I have perused the file with able assistance of the counsel. Considering the facts of the case in hand, I hereby allow this petition. It is directed that on surrender of the petitioner before the Trial Court on or before 10.07.2024, the date stated to be fixed thereat, he shall be admitted to bail on the usual terms and conditions. If in the meantime, he is sought to be arrested, he shall be admitted to interim bail to the satisfaction of Arresting Officer.

6. However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and the trial Court would proceed independently of the observations made in the present case.

(KIRTI SINGH)
JUDGE

July,04 2024

Kavita Nain

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No