

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-22038 of 2015

.....

Date of decision:21.9.2015

Shokat Ali

...Petitioner

v.

State of Haryana

...Respondent

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Satish Chaudhary, Advocate for the petitioner.

Mr. Anmol Malik, Assistant Advocate General, Haryana for
the respondent-State.

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Inderjit Singh, J.

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail in case FIR No.42 dated 10.2.2013 (Annexure-P.1) registered for the offences under Sections 302, 201, 120-B and 34 IPC at Police Station Sadar Rohtak, District Rohtak.

Notice of motion to Advocate General, Haryana.

On the asking of the Court, Mr. Anmol Malik, learned Assistant Advocate General, Haryana has put in appearance and accepted notice on behalf of the respondent-State and contested this petition. Police record is also available.

I have heard learned counsel for the petitioner as well as

learned Assistant Advocate General, Haryana appearing for the respondent-State and have gone through the record.

As per the prosecution version co-accused Sudesh wife of the deceased Satish was having illicit relation with her co-accused Naveen and when the family members of the deceased came to know of it, the relations between the husband and wife became strained. As per the prosecution version, Sudesh and her paramour Naveen hatched a conspiracy to eliminate Satish (since deceased) and sought the help of Aas Mohammed, who introduced Naveen to Shokat Ali and Nasir accused.

Co-accused Aas Mohammed alias Ashu has been released on bail by a Co-ordinate Bench of this Court vide order dated 10.9.2015 passed in Criminal Misc. No.M-24108 of 2015. The case of Shokat Ali is almost on similar footing. Otherwise also, he is in custody since 13.3.2013 and he is not the main accused.

The petitioner is no more required for any interrogation and investigation purposes as he is in judicial custody. Nothing is to be recovered from him. The trial of the case will take long time. No useful purpose will be served by keeping the petitioner in custody till the final disposal of the case.

Therefore, keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case and on the basis of parity, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bond in the sum of

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₹50,000/- with one surety in the like amount to the satisfaction of the trial
Court/Duty Magistrate.

September 21, 2015.

(Inderjit Singh)
Judge

hsp