

*IN THE HIGH COURT FOR THE STATES OF PUNJAB
AND HARYANA AT CHANDIGARH.*

Cr.Misc. M 24281 of 2015
Date of decision:-4.9.2015

Arun

Petitioner

vs.

State of Haryana

Respondent

Present: Mr. Ravinder Malik, Advocate.
Mr.DR Singla, DAG, Haryana.

M.M.S.BEDI,J.

The petitioner has been in custody w.e.f. 13.7.2013 on the allegation that he had hatched a conspiracy with his co-accused Raj Kamal to commit the murder of one Parveen on the day he would be appearing in the law entrance test. Secret information had been received by the police, as a result of which a police team had gone to M.D. University,Rohtak, where Raj Kamal and his associates were found. The secret information had been received by the police that they were sitting near the stadium of the University. When the police party approached near the stadium, Raj Kamal and his associates were seen by the police party but Raj Kamal raised a noise that police had come, as such, the associate of Raj Kamal were asked to surrender by putting down their weapons by the police. The said persons allegedly started firing at the police party, resulting in a gun shot injury on the leg of HC Sandip Singh, fired by non petitioner Jagdip. Jagdip was arrested from the spot. During the course of interrogation, it was disclosed by the accused that the petitioner was the conspirator behind the above said event.

I have considered the facts and circumstances of the case.

The petitioner has been in custody for the last more than 2 years. It is an admitted fact that at the time of the occurrence, the petitioner was in custody. It will certainly be a debatable issue during trial to connect the incident with the conspiracy, alleged against the petitioner. It is also apparently debatable whether there is sufficient evidence to connect the petitioner with the incident on the basis of the relevant evidence. It is not out of place to mention here that co-accused of the petitioner, except Jagdip, have been granted the concession of bail.

In view of the period of detention suffered by the petitioner, he can be granted the concession of bail. The petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail bonds/ surety bonds to the satisfaction of the trial court.

September 4 ,2015
TSM

(M.M.S.BEDI)
JUDGE