

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

Crl.Misc.No.M-32632 of 2014(O&M)

Date of Decision : 06.04.2015

Amarpal @ Nahanda

....Petitioners

Versus

State of Haryana

...Respondent

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

Present : Mr. K.D.S.Hooda, Advocate for the petitioner

Mr. P.S.Chauhan, Addl. AG, Haryana with
Mr. Himmat Singh, AAG, Haryana

MAHESH GROVER, J.

The petitioner prays for grant of regular bail in terms of Section 439 Cr.P.C in case FIR no. 543 dated 11.8.2012 registered under Sections 302,201, 420, 406, 34 IPC at Police Station City Rohtak, District Rohtak.

The brief facts of the case are that sister of the complainant namely Roshni and her two sons namely Manish and Yogesh were found dead in a decomposed condition in a box placed in the store room of the house. Deceased Roshni after the death of her husband had started living with one Chand Dangi, who is the main accused in the instant case. Petitioner was arrested on 15.8.2012 and it is contended by the learned counsel for the petitioner that it is a case of circumstantial evidence and the main accused with strong suspicion is Chand Dangi and not the petitioner who is alleged to be merely accompanying the other accused persons. It is also contended that the trial has taken unduly long time and only 19 witnesses out of 35 witnesses have been examined so far. Besides it is

contended that the co-accused of the petitioner namely Manoj has already been granted the similar benefit of regular bail in CRM no.M-9834 of 2014.

The aforesaid facts of the co-accused being granted bail and the role of the petitioner is not contested by the learned counsel for the respondent who however, points out to the gruesome manner in which the multiple murders were committed.

On due consideration of the matter and noticing the fact that primary allegations are against Chand Dangi and the role of the petitioner is not distinct from that of Manoj who had already been granted the benefit of regular bail and the fact that only 19 witnesses out of 35 witnesses have been examined so far and further considering the fact that the petitioner is in custody since August, 2012, instant petition is accepted. It is directed that the petitioner be released on bail in terms of Section 439 Cr.P.C . Bail to the satisfaction of learned Trial Court.

Nothing said herein shall be construed to be an expression on the merits of the case.

April 06, 2015
rekha

(Mahesh Grover)
Judge