

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

(213)

CRM-M-42839-2015

Decided on: December 22, 2015.

Sanjit alias Sanju

.... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. Navneet Singh, Advocate, for the petitioner.

Mr. Vikramjit Singh, Addl. A.G., Haryana.

M.M.S. BEDI, J (ORAL)

The petitioner has been in custody w.e.f. 30.01.2014 in a case registered at the instance of Sunita alleging that her son was abducted in a car and was murdered by inflicting injuries with brick blows and his dead body was thrown in the canal. The case of the prosecution is that the complainant had stated that one day prior to the incident one Manjit Singh along with two other accused came to her house and inquired about her son Rajesh. So far as petitioner is concerned, he has been connected with the crime on the basis of statement of PW Sandeep who accompanied deceased Rajesh in the car after his abduction. The petitioner is also alleged to have suffered a disclosure statement in custody in another case regarding commission of offence. Sandeep the material witness against the petitioner has been given up vide order dated 07.10.2015. Statement of Sunita has been recorded. She does not indicate regarding culpability of the petitioner.

Learned State counsel submits that on account of recovery of wooden danda and recovery of cloths of deceased recovered from the petitioner, he is connected with the crime.

Investigating officer ASI Satbir Singh informs that the petitioner is involved in four other cases. The said fact does not appear to be relevant for decision of the present bail application as the petitioner has been connected with the present case on the basis of his statement made in police custody in another case under Section 302 IPC.

Taking into consideration the totality of above said circumstances and without expression of any opinion on merits of the case, it is sufficient to observe here that the petitioner has been in custody w.e.f. 30.01.2014. The circumstantial evidence against him has almost been completed. The material witness against the petitioner has not been examined by the prosecution agency. The petitioner, in said circumstances, can be granted concession of bail.

Petition is allowed. Petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the trial Court.

(M.M.S. BEDI)
JUDGE

December 22, 2015
harsha