

IN THE HIGH COURT OF PUNJAB AND HARYANA CHANDIGARH

CRM-M-8909-2015
Decided on: 26.03.2015

ShashiPetitioner

Versus

State of HaryanaRespondent

CORAM HON'BLE MR. JUSTICE MAHESH GROVER

Present: Mr.Sanjay Verma, Advocate for the petitioner.
Mr. P.S.Chauhan, Addl. AG, Haryana.

MAHESH GROVER, J (ORAL)

The petitioner namely Shashi prays for concession of regular bail in terms of Section 439 of the Code of Criminal Procedure (hereinafter 'Cr.P.C') in a case registered vide FIR No.305 dated 09.12.2012, under Sections 302, 364, 201, 120-B IPC and Section 25 of the Arms Act at Police Station Palam Vihar, Gurgaon.

The petitioner has been arrayed as an accused conspirator because of death of one Vijay Kumar Sharma, who is alleged to have had illicit relations with one Veenu wife of Jitender Chauhan, the sister-in-law of the present petitioner. She has been in custody since 12.12.2012.

Learned counsel for the petitioner contends that the case of the petitioner is based solely on the allegations of conspiracy and that after more than two years of incarceration, the trial has not yet been completed.

Learned counsel for the respondent does not dispute the period of custody but points out to the serious nature of allegations.

After hearing learned counsel for the petitioner and noticing the fact that the whole case against the petitioner rests on allegations of conspiracy based on circumstantial evidence with no direct evidence or sole

and noticing the period of custody and the inconclusive trial, I would deem it appropriate to accept the petition and direct the petitioner to be released on bail in terms of Section 439 Cr.P.C.

Bail to the satisfaction of learned trial Court.

26.03.2015
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(MAHESH GROVER)
JUDGE