

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

**CRM-M No.11886 of 2016 (O&M)
Date of Decision: 27.05.2016**

Lalit @ Kali

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Manish Soni, Advocate for the petitioner.

Mr. Yashwinder Singh, Deputy Advocate General, Punjab
for the respondent/State assisted by ASI Krishan Kumar.

JASWANT SINGH, J. (Oral)

Present petition is for grant of regular bail under Section 439 Cr.P.C. on behalf of the petitioner/accused-Lalit @ Kali in case FIR No.688 dated 11.10.2015, under Sections 147, 148, 307 of the Indian Penal Code, registered with Police Station Sector 10, Gurgaon.

As per the case of the prosecution, on the intervening night of 10-11.10.2015, the injured-Dhani Ram was picked up from his house by his relative/accused Manish along with his co-accused friends in their Car for helping him to find out the way upto Kablana Road. Upon reaching at a particular area, Dhani Ram was asked to get down from the Car and was shot at by co-accused/non-applicants Manish, Himanshu and Vicky and was left there as dead.

It is contended that no overt act has been attributed to the petitioner/accused except that of being one of the occupants of the Car. The motive also was for the co-accused Manish on account of the previous dispute.

The petitioner is stated to be in custody since 18.12.2015 and only 03 out of 22 prosecution witnesses have since been examined. The petitioner is stated to be not involved in any other criminal case.

Learned State Counsel, assisted by ASI Krishan Kumar, does not refute the aforesaid factual situation.

Without commenting on the merits of the case, keeping in view the role attributed, custody period and the fact that trial is not likely to be concluded in near future, this Court finds that petitioner/accused deserves the concession of regular bail and as such he is ordered to be released on bail to the satisfaction of CJM/Duty Magistrate concerned.

Disposed of.

May 27, 2016
Gagan

(JASWANT SINGH)
JUDGE