

CRM-M No.13744 of 2016 (O&M)

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

**C.R.M-M No.13744 of 2016 (O&M)
Date of Decision : 08.07.2016**

Naveen

..... Petitioner

versus

State of Haryana

..... Respondent

C.R.M-M No.20919 of 2016 (O&M)

Sanjay

..... Petitioner

versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. S.S.Duhan, Advocate
for the petitioner (CRM-M-13744 of 2016).

Mr. D.K.Tuteja, Advocate and
Mr. Dishant D.Tuteja, Advocate
for the petitioner (CRM-M-20919 of 2016)

Mr. Kuldeep Tiwari, Addl. A.G., Haryana.

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

AJAY TEWARI, J. (Oral)

These petitions have been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioners in case F.I.R. No.335 dated 25.09.2015 registered under Sections 114, 120-B, 302 IPC and Section 25 of the Arms Act at Police Station Sadar Gohana, District Sonapat.

As per the allegations the brother of the deceased had got recorded that in his presence Neeraj had fired two bullets into his brother which led to his death. In the last part of the complaint he stated that he also had doubt that the petitioners namely Naveen and Sanjay may be involved in the said murder. Thereafter the main accused was arrested and it is submitted by the learned Additional Advocate General that in his statement he named the two petitioners. Learned counsel for the petitioner/s points out that even that statement shows that it was the main accused who had personal grudge against the deceased and the present petitioners had no cause of action to be aggrieved against the deceased.

Learned Additional Advocate General is not in a position to deny the fact that there was no mention of any antagonism between the deceased and the present petitioners and the main accused is in custody.

The petitioners have now been in custody since 26.09.2015 and 13.10.2015 respectively.

Keeping in view the period of custody already suffered by the petitioners, without going into the merits of the case, I do not deem it appropriate to deny them the concession of bail.

Bail to the satisfaction of the trial Court.

Petitions stand disposed of.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

**(AJAY TEWARI)
JUDGE**

July 08, 2016

pooja sharma-I