

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

(209)

CRM-M-25634-2016

Decided on: November 30, 2016.

Kamaljeet @ Vicky and another

.... Petitioners

Versus

State of Haryana

..... Respondent

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

Present: Mr. Ajay Arora Bharti, Advocate, for the petitioners.

Mr. Ramesh Kumar, AAG, Haryana.

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

Petitioner No.1 is husband of Pooja @ Rajni who had stated to the police that on 23.06.2015 she had witnessed her father Ram Sarup along with petitioners No.1 and 2 consuming liquor and entering into altercation and Ram Sarup beating the petitioners and his wife. As per the story of prosecution, the mother of Pooja @ Rajni had conspired with the petitioners to kill Ram Sarup who was strangled with piece of cloth. The petitioners allegedly took the dead body of Ram Sarup and thrown the same on the road for giving it colour of accidental death.

The most material witness to the occurrence is none else but daughter of the deceased namely Pooja @ Rajni who has been examined as PW-1, she did not support the case of prosecution.

Without expression of any opinion on merits of the case, it is sufficient to observe here that the present case is based upon circumstantial evidence and the daughter of the deceased as one of the prosecution witness has not supported the case of prosecution. The petitioners have been in custody w.e.f. 26.06.2014.

Taking into consideration the fact that the petitioners have been in custody for the last more than two and half years, they can be granted the concession of bail.

The petition is allowed. Petitioners are ordered to be released on bail on their furnishing bail bonds/surety bonds to the satisfaction of the trial Court.

(M.M.S. BEDI)
JUDGE

November 30, 2016

harsha

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No