

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

CRM-M-34901-2016.

Date of Decision: 11.11.2016.

Inderpal alias Sonu

....Petitioner.

VERSUS

State of Haryana

....Respondent.

CORAM: HON'BLE MRS. JUSTICE SNEH PRASHAR.

Present: Mr. J.P. Jangu, Advocate for the petitioner.

Ms. Neelam Kashyap, Deputy Advocate General, Haryana.

SNEH PRASHAR, J.

The petitioner is facing trial in criminal case based on First Information Report No.115 dated 22.03.2015 under Sections 364, 302, 201, 120-B and 392 of the Indian Penal Code (in short, "I.P.C.") and Section 25 of the Arms Act, 1959 registered at Police Station Tauru.

The accusation against the petitioner is that he and his co-accused, who were travelling in the car driven by Imran Khan, had murdered Imran Khan with an intention to grab the car. The petitioner was said to have caught the legs of the deceased when his co-accomplice Dalip Patel strangulated him with the seat belt. After throwing the dead body in the pits beside the road, its head was cut with a knife. During investigation, the car in question was recovered from possession of the petitioner.

The submissions made by Mr. J.P. Jangu, learned counsel representing the petitioner and Ms. Neelam Kashuyap, learned Deputy

Learned counsel for the petitioner submits that the story presented by the prosecution is false as the petitioner never participated in the murder of deceased Imran Khan. He was implicated only on the basis of a disclosure statement allegedly suffered by his co-accused. Learned counsel also submits that the petitioner is in custody for the last 01 year and 07 months. Completion of the trial will take some time and as nothing remains to be recovered from the petitioner, he may be enlarged on regular bail.

Prima facie, the identity of the petitioner may have surfaced from the statement of a co-accomplice but as per story of the prosecution the car, taken away after murdering driver Imran Khan, was recovered from possession of the petitioner. It is submitted by learned State counsel that all material witnesses of the prosecution are yet to be examined.

Thus, in view of the facts and circumstances and without going into the merit of the case, no ground for release of the petitioner on regular bail is made out and the petition is dismissed.

(SNEH PRASHAR)
JUDGE

11.11.2016
jitender sharma

Whether speaking/ reasoned : Yes

Whether Reportable : No