

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

CRM-M No.36677 of 2016
Date of decision: 25th October, 2016

Satender @ Kalu

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Anshumaan Dalal, Advocate for the petitioner.

Mr. Munish Sharma, Asstt. Advocate General, Haryana
for the respondent/State.

FATEH DEEP SINGH, J. (ORAL)

Allegations against the petitioner Satender @ Kalu in this petition filed under Section 439 Cr.P.C. seeking regular bail in case FIR No.152 dated 22.05.2015 registered at Police Station Beri, District Jhajjar under Sections 302/34 IPC, are that he along with his co-accused/non-applicants namely Satpal, Jai Parkash and Jashmer Singh @ Muchchhe on 22.05.2015 had taken his co-accused in a vehicle and that subsequently dead body of Anoop @ Khilari was recovered.

Contentions of the learned counsel for the petitioner are that name of the petitioner has cropped up subsequently at a belated stage in supplementary statement and in spite of the same he was never arrested and it was after six months he has been arrested and is in custody since 16.11.2015 and that the similarly placed co-accused Jasmer @

Muchchhe has been allowed bail by this Court vide order dated 31.08.2016.

Learned State counsel with all fairness has conceded at the bar and has submitted that there is no evidence against the petitioner except that he was seen with his co-accused.

In the light of submissions made by learned counsel for the petitioner and the fact that trial will take a long time to conclude together with the inadequacy of evidence impels this Court to allow the prayer made, which is even otherwise called for on account of principle of parity. Accordingly, the petitioner is ordered to be released on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Jhajjar.

The petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

October 25, 2016
rps

Whether speaking/reasoned Yes/No

Whether reportable Yes/No