

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

CRM-M No.4378 of 2016

Date of Decision:-18.02.2016

Rameshwar.

.....Petitioner.

Versus

State of Haryana.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Bijender Dhankar, Advocate for the Petitioner.

Mr. Kuldipt Tiwari, Additional Advocate General, Haryana
assisted by ASI Chinder Pal.

JASWANT SINGH, J (ORAL)

Prayer is under Section 439 Cr.PC for grant of regular bail to the petitioner Rameshwar in case FIR No.11 dated 01.04.2015 for offences punishable under Sections 302, 201, 120-B of Indian Penal Code registered with Police Station Sirsa, District GRP Ambala Cantt.

As per the allegations in the FIR, the eldest son Anil of the Complainant Madan Lal had run away with a lady named Suman, who used to reside as wife with accused Ishwar Singh. On account of such grudge the accused party are alleged to have committed the murder of younger son Vinod of complainant.

The case of the prosecution is based on circumstantial

evidence. Sh. Subash and Shiv Kumar are the witnesses of the last seen of the deceased-Vinod with co-accused Narsi.

It is contended that the name of the petitioner has been roped in merely because he happened to be the earlier husband of said Suman and except the confessional statement of the co-accused Narsi, there is no incriminating material available against the present petitioner. Even in the said statement, the role attributed is that of only standing while the deceased was first strangled and thereafter thrown on railway track. The petitioner is stated to be in custody since 5.4.2015 and after framing of the charge only two out of 26 witnesses have since been examined.

Learned State Counsel assisted by ASI Chinder Pal does not refute the aforesaid factual position.

Without going into the merits of the case, keeping in view the custody period and the fact that the trial is not likely to be concluded in near future, present petition is allowed and the petitioner Rameshwar is ordered to be released on bail to the satisfaction of learned CJM/Duty Magistrate, Sirsa.

Petition stands disposed of.

(JASWANT SINGH)
JUDGE

February 18, 2016
Vinay