

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

**CRM No.M-43097 of 2015 (O&M)  
Date of Decision: 21.04.2016**

Praveen @ Jadugar

... Petitioner

Versus

State of Haryana

... Respondent

**CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.**

Present:- Mr. Manish Soni, Advocate for the petitioner.  
Mr. Anmol Malik, AAG, Haryana.

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**TEJINDER SINGH DHINDSA, J.**

Petitioner seeks benefit of regular bail pending trial in case FIR No.283 dated 07.10.2014, under Sections 148/149/323/324/325/326/302/303/120-B IPC, registered at Police Station Bhondsi, District Gurgaon.

Allegations as per FIR are that the complainant had come to know that certain other accused than the present petitioner had been given a contract for killing the deceased and on the fateful day, co-accused had entered into phase I of the jail and killed the deceased.

The application preferred by the petitioner under Section 439 Cr.P.C. has been declined by the learned Additional Sessions Judge, Gurgaon vide order dated 05.11.2015 by observing that for the occurrence in the jail premises there is a footage of CCTV camera and in which present petitioner was captured causing injuries to the deceased as also to the other injured and upon seeing the officials of the jail authorities, he threw a *sua* in his possession and such *sua* has been used for causing injuries to the deceased.

On 14.01.2016 this Court had directed the filing of a specific affidavit of a senior police official as regards the CCTV footage as regards

occurrence and the specific role of the petitioner as seen in the footage.

In compliance of the order dated 14.01.2016 passed by this Court, an affidavit of the Deputy Commissioner of Police, South Gurgaon has been placed on record and in terms of which it stands clarified that only presence of the petitioner has been recorded and there is no footage within the barrack wherein the occurrence took place.

It has gone uncontroverted that co-accused, namely, Ravinder @ Sarkar, Vikrant @ Kala and Balwan against whom there were similar allegations have been granted benefit of regular bail.

Petitioner has been in custody since 11.10.2014.

Investigation in the case is complete and even the challan stands presented. Learned State counsel would inform that the trial is still the initial stage.

Without making any observations on merits and keeping in view the length of incarceration already suffered by the petitioner, he is held entitled to the benefit of bail.

Accordingly, petition is allowed. Petitioner be enlarged on bail subject to the satisfaction of the trial Court/Duty Magistrate, Gurgaon.

Disposed of.

**21.04.2016**

*harjeet*

**(TEJINDER SINGH DHINDSA)  
JUDGE**