

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

CRM No.M-48 of 2016 (O&M)

Date of Decision: 21.04.2016

Vikas

... Petitioner

Versus

State of Haryana

... Respondent

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

Present:- Mr. Gautam Dutt, 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.

Name of the petitioner does not figure in the FIR. Petitioner has been implicated on the basis of a disclosure statement of Rajesh, who was specifically named in the FIR.

It has gone uncontroverted that co-accused Rajesh has been granted benefit of bail by the trial Court.

During the course of arguments, learned State counsel has submitted that there was CCTV footage of the occurrence. However, it has been conceded that the actual occurrence and causing of injuries to the deceased as also the complainant has not been captured in the CCTV footage and would at best only show the presence of the petitioner as also

co-accused in the jail premises as also the concerned barrack.

Petitioner has been in custody since 31.10.2014.

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.

On the ground of parity itself, the present petitioner 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**