

CRM-M-696-2016

Date of Decision : 09.05.2016

Sanjeev @ Bantu

.....Petitioner

versus

State of Haryana

....Respondent

CORAM : HON'BLE MR. JUSTICE M.M.S. BEDI**Present:** Mr. Ramesh Goyat, Advocate
for the petitioner.

Mr. Vikas Malik, DAG, Haryana.

M.M.S. BEDI, JUDGE (ORAL)

The petitioner has been in custody with effect from 29.11.2014 in a case which is based only on the circumstantial evidence. The petitioner is attributed role of having conspired with the other accused and participated in the offence by giving danda blow on the head of the deceased.

Without entering into the minute controversies or entering into the niceties of the trial, it is sufficient to observe here that the petitioner has been involved in the case on the basis of a confessional statement made by his co-accused of having hatched conspiracy with other co-accused to murder Rajender by inflicting injuries with sticks.

It is a settled principle of law that circumstantial evidence is a weak type of evidence. Only one witness out of thirteen has been examined. Striking the balance between the right of liberty of the petitioner and the availability of an accused during the entire period of trial, I deem it appropriate to dispose of this bail application at this stage with a direction to the trial Court to conclude the trial within a

period of six months after the next date of hearing fixed before the trial Court. In case, for any reason, the trial is not capable of being concluded within the above said period, the trial Court shall release the petitioner on bail on his furnishing bail bonds/surety bonds to its satisfaction on expiry of six months after the next date of hearing.

Copy of the order be sent to the Presiding Officer of the trial Court for strict compliance.

(M.M.S. BEDI)
JUDGE

09.05.2016
Neha