

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

**CRM-M No.93 of 2016 (O&M)
Date of Decision: 11.02.2016**

Sunil @ Sonu

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Bijender Dhankhar, Advocate for the petitioner.

Mr. Kuldip Tiwari, Additional Advocate General, Haryana
for the respondent/State assisted by ASI Kulbir Singh.

JASWANT SINGH, J. (Oral)

Present petition is for grant of regular bail under Section 439 Cr.P.C. to the petitioner/accused in case FIR No.124 dated 19.03.2015, under Sections 302/34, 120-B and 216 of the Indian Penal Code and Section 25 of the Arms Act, registered with Police Station Kundli, District Sonapat.

The complainant-Om Parkash lodged the aforesaid FIR on account of his nephew-Amit having been shot dead by the unknown persons.

During investigation, the names of two accused, namely, Kuldeep @ IG and Kuldeep @ Kabutar have surfaced, who shot Amit dead on account of a dispute relating to one Sunita.

The allegation against the petitioner was that he had, prior to the occurrence, warned the complainant party to stay away from such persons. In the disclosure statements of two main accused, his role has been attributed to be that of conspiracy but no overt act has been attributed to the petitioner except that of having warned the father of the deceased to stay away from the aforesaid two main accused.

It is next contended that the petitioner is in custody since 21.03.2015 and the material witnesses have since been examined.

It is also submitted that the petitioner is not involved in any other criminal case.

Learned State Counsel, assisted by ASI Kulbir Singh, does not refute the aforesaid factual position.

Without commenting on the merits of the case, keeping in view the custody period and the facts as noticed above, this Court finds that petitioner/accused deserves the concession of regular bail and as such he is ordered to be released on bail to the satisfaction of CJM/Duty Magistrate concerned.

Disposed of.

February 11, 2016

Gagan

**(JASWANT SINGH)
JUDGE**