

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

**CRM No.M-13684 of 2016 (O&M)
Date of Decision: 06.02.2017**

Ram Singh

... Petitioner

Versus

State of Haryana

... Respondent

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

Present:- Mr. V.K. Sheoran, Advocate for the petitioner.

Mr. C.S. Bakhshi, Additional Advocate General, Haryana.

Mr. J.S. Rana, Advocate for the complainant.

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TEJINDER SINGH DHINDSA, J.

This order shall dispose of the instant petition filed under Section 439 Cr.P.C. seeking benefit of regular bail to the petitioner pending trial in case FIR No.33, dated 26.02.2015, under Sections 147/148/149/384/302 IPC and Sections 25/54/59 of the Arms Act (challan stands presented under Sections 147/148/149/384/302/120-B/212/201 IPC and Sections 25(54) of the Arms Act), registered at Police Station Behal, District Bhiwani.

Counsel for the parties have been heard at length.

FIR came to be registered on the complaint of Sunil Kumar in relation to an alleged occurrence that took place on 25.02.2015 and in which two persons i.e. Kapil Sharma and Rajesh lost their lives.

Insofar as the present petitioner is concerned, he is sought to be implicated on the basis of supplementary statement of Sunil Kumar and the role attributed is of having conspired with Rajesh, Sushila and Satbir to have carried out the offence. As per prosecution version, the name of the

present petitioner also figures in the disclosure statement of other co-accused.

Petitioner was arrested on 18.03.2015 in the present case.

Material witness i.e. Sunil Kumar has already been examined before the trial Court. It is the contention raised by counsel for the petitioner that the deposition of Sunil Kumar that stands concluded before the trial Court does not reflect on the complicity of the present petitioner in the crime.

Co-accused, Sushil and Raj Kumar and against whom there were similar allegations have been granted the benefit of bail.

Without expressing any opinion on merits and in view of the discussion hereinabove, petitioner is held entitled to the benefit of bail.

Petition is allowed. Petitioner be enlarged on bail subject to satisfaction of the trial Court/Duty Magistrate, Bhiwani.

Disposed of.

06.02.2017

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

i) Whether speaking/reasoned? Yes

ii) Whether reportable? No