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

**CRM-M No.13759 of 2016
Date of Decision: 04.05.2017**

Sanju @ Sanjiv

.....Petitioner

Vs

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Parminder Singh, Advocate
for the petitioner.

Mr. P.P. Chahar, DAG, Haryana.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.780 dated 23.10.2015, registered under Sections 148, 149, 342, 302, 323, 506, 120-B IPC and Sections 25/54/59 of the Arms Act at Police Station Sadar Karnal, District Karnal.

Complainant Naresh Kumar alleged that he and Jamala were sitting in the house of in-laws of Jamala at the time of dinner. Wife of Jamala and his mother-in-law were also present. At about 11 PM, Tannu, Billu, Dildar, Rajwant, Sheru, Ravi @ Sittu along with 2-3 other persons came on motorcycles. Billu, Tannu, Ravi @ Sittu were carrying pistols in their hands and

remaining accused were armed with lathies and dandas. On reaching there, Billu opened fired from his pistol, which hit at the chest of Jamala. Thereafter, Tannu also fired a shot, which hit Jamala on his thigh. Jamala tried to run in order to save his life. Then Ravi @ Sittu fired a shot at the back, on hip of Jamala. Dildar gave a lathi blow on the head of Jamala. Rajwant, Sheru and 2-3 other boys gave lathi blows to Jamala and his wife.

Learned counsel for the petitioner submitted that the petitioner is amongst those 2-3 persons who allegedly inflicted injuries by lathis and base ball bat to Jamala and his wife. The cause of death is the fire arm injuries received by Jamala.

The petitioner was arrested on 23.07.2016. No specific injury has been ascribed to the petitioner, except to say that 2-3 persons in the company of Rajwant and Sheru inflicted injuries with lathies and base ball bat on the person of Jamala and his wife.

Learned State counsel on instructions from ASI Suraj Bhan submits that out of 36 prosecution witnesses, 3 witnesses have been examined. Allegation against the petitioner is that he also actively participated in the commission of offence and is an accused of conspiracy with other accused persons. 05.06.2017 is the next date for prosecution evidence.

Co-accused-Madan Lal has already granted regular bail by this Court in CRM-M No.34643 of 2016 on 21.03.2017. Since the petitioner is in custody, the exact complicity of the petitioner would be subject to the trial.

At this stage, without advertent to the merits of the case and keeping in view the status of the case, I deem it appropriate to enlarge the petitioner on regular bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

May 04, 2017.

Prince

Whether speaking/reasoned

Whether reportable

**(RAJ MOHAN SINGH)
JUDGE**

Yes/No

Yes/No