

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

**Crl. Misc. No.M-14874 of 2017
Date of Decision: August 01, 2017.**

Sandeep Rana @ Happy

.....PETITIONER(s).

VERSUS

State of Punjab

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Anil Shukla, Advocate
for the petitioner (s).

Ms. Rajni Gupta, Sr. D.A.G., Punjab.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.100 dated 27.6.2016 registered for the offences punishable under Sections 302/392/34 of IPC registered at Police Station Phase-I, Mohali.

Heard.

The FIR in question was registered for the murder of Manoj Kumar, who was plying taxi (Ola Cab). It was a blind murder. The petitioner was arrested in case bearing FIR No. 86 dated 14.07.2016 registered at Police Station Kurali. As per the case of prosecution, during investigation of that case, he made a disclosure statement admitting the murder of Manoj Kumar along with his co-accused Atinder Pal Singh, Hardeep Singh and Jashpreet Singh. During investigation the police also recorded statements of co-accused, who have also stated that the petitioner was involved in the murder of Manoj Kumar. Silver chain, locket, ring

which Manoj was wearing along with *kirch* used in the crime was recovered

from the co-accused. However, no recovery was effected from the petitioner.

Learned State counsel submits that the evidence against the petitioner is his own confessional statement recorded by the police and that of his co-accused.

The petitioner was arrested in this case on 28.7.2016. After presentation of challan trial is in progress and the prosecution has examined only one witness so far.

Keeping in view the above facts and that the conclusion of the trial court will take considerably long time, the present petition is allowed. Petitioner Sandeep Rana @ Happy is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- a. The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- b. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- c. He shall not leave the country without the prior permission of the Court.

(SURINDER GUPTA)
JUDGE

August 01, 2017
deepak.

Whether speaking/reasoned: ***Yes/No***

Whether Reportable: ***Yes/No***