

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-21470 of 2017
Date of Decision: 19.06.2017

Sonu

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Neeraj Sinhmar, Advocate
for the petitioner.

Mr. Apoorv Garg, DAG, Haryana.

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.60 dated 03.04.2016 registered for offences punishable under Sections 148 and 302 read with Section 149 of Indian Penal Code (for short, "IPC") at Police Station Narwana, District Jind.

Heard.

FIR in this case was registered on the statement of Sanjeev Khatal. As per allegations in the FIR, his brother, namely, Ramesh was having affair with Poonam daughter of Tara Chand. On the day of occurrence, Ramesh had gone to meet Poonam at her house. On receiving information, the complainant alongwith his mother reached the house of Tara Chand and found dead body of Ramesh and Poonam lying there. They brought dead body of Ramesh to their house and reported the matter to Police. In the FIR, they named Tara Chand, his brother Ram Niwas, Raj Kumar, Surinder and Shashi as the persons, who have killed both Ramesh

and Poonam.

The petitioner was arrested in this case on 07.04.2016. He is not named in the FIR. In the statement of Sanjeev Khatal recorded by the trial Court, he has stated that he did not get the name of petitioner recorded in his statement (Ex. PB) made to the police. To similar effect is the statement of Krishna wife of Dharampal.

Learned State counsel submits that two out of 22 witnesses have been examined so far.

In view of above but without expressing any opinion on merits of the case and keeping in view the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Sonu is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 previous permission of the Court.

June 19, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No