

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-2812 of 2017
Date of Decision: 08.03.2017

Manoj @ Monu

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Lekh Raj Nandal, Advocate
for the petitioner.

Mr. Vikramjit Singh, Addl. A.G., 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. 140 dated 21.03.2014 registered for offences punishable under Sections 302, 34, 216 read with Section 120-B of Indian Penal Code (for short, "IPC") and 25 of the Arms Act, at Police Station Kharkhoda, Sonapat.

Heard.

Learned counsel for petitioner seeks regular bail for petitioner-Manoj @ Monu with the plea that his co-accused Sombir @ Sonu has been ordered to be released on bail as per order dated 01.08.2016 passed by this Court in CRM-M-25149 of 2016.

As per case of prosecution, a scuffle took place between Surender and Manoj @ Monu (petitioner) and others while they were playing cards. On 20.03.2014, when complainant alongwith her son Surender and husband's sister Saroj, was going towards *Gaushala*, Sombir @ Sonu and petitioner-Manoj @ Monu met them. Petitioner took out his

pistol and Surender ran towards house of Ballu to save himself but he was caught by Sombir @ Sonu. Petitioner-Manoj @ Monu fired shot at Surender resulting in his death.

It is not a case of parity with co-accused Sombir @ Sonu. Petitioner is the main accused in this case.

It has been submitted by learned State counsel that 8 witnesses out of 21 have been examined. Complainant has also been examined and the case is now fixed for 09.03.2017 for remaining prosecution evidence.

Keeping in view the role of petitioner-Manoj @ Monu, I find no reason to extend the benefit of regular bail to him, as such, the instant petition is dismissed.

Trial Court is, however, directed to expedite trial of the case and dispose of the same preferably within a period of six months.

March 08, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No