

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

CRM-M-46329-2017

Date of Decision:11.12.2017

Himanshu @ Mohit

.....PETITIONER

V/S

State of Haryana

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE A.B. CHAUDHARI

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

Ms.Tanushree Gupta, DAG, Haryana.

The petitioner has filed the present petition under Section 439 Cr.P.C. seeking regular bail in FIR No.81 dated 27.02.2017 under Sections 302, 201 and 34 IPC and 25 of the Arms Act, registered at Police Station Ganaur, Police Distt. Sonapat.

Heard learned counsel for the rival parties.

The petitioner was arrested on 09.03.2017. The prosecution case is that two persons, namely, Bhupinder and Ravi of Village,Rohra, Distt. Sonapat disappeared after 23.10.2016 and only one dead body was found on 28.10.2016 in canal near Delhi. Even now, other dead body has not been traced out. Perusal of postmortem report, the same shows fire injury on the chest and the dead body was decomposed. Only the disclosure statement of Gopal, the name of the petitioner has come in the picture. There is no evidence against the petitioner.

In that view of the matter, this petition is allowed. Petitioner is ordered to be released on bail subject to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned. Petitioner shall file an undertaking within 3 weeks with the trial Court that he will not indulge in any kind of

offence in future. Petitioner shall not tamper with the prosecution evidence, threaten or exercise any influence on the prosecution witnesses. The petitioner to surrender his passport to the trial Court if possesses the same.

(A.B. CHAUDHARI)
JUDGE

11.12.2017
Anjal