209 IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M No.496 of 2017 (O&M)
Date of Decision: 23.01.2017

Sandeep **.....Petitioner**

Versus

State of Haryana **..... Respondents**

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Rakesh Dhiman, Advocate
for the petitioner.

Mr. Ashish Yadav, Addl. A.G., Haryana.

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DEEPAK SIBAL J. (ORAL)

Through the present petition filed under Section 439 Cr.P.C., the petitioner seeks regular bail in FIR No.323, dated 11.06.2015, registered under Sections 302, 201, 120-B, 34 IPC at Police Station Sadar Bahadurgarh, District Jhajjar.

Learned counsel for the petitioner submits that the petitioner has been in custody for over 01 year and 07 months and till date, out of 20 prosecution witnesses only 04 have been examined and the trial is likely to take a long time to conclude. He further submits that the petitioner has been named only by the co-accused in their disclosure statements made before the police which have no evidentiary value and that the petitioner is being prosecuted only on the basis of suspicion.

The afore-referred factual position is not disputed by learned State counsel. However, the grant of bail is opposed *inter alia* on the ground that the petitioner has been named in the FIR as also in the disclosure statements suffered by his co-accused.

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Keeping in view the totality of the facts which are peculiar to this case, without commenting on the merits of the case, the petition is allowed and the petitioner is directed to be admitted to regular bail, to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Jhajjar.

Nothing observed hereinabove shall be considered to be an expression of opinion by this Court on the merits of the case.

(DEEPAK SIBAL)
JUDGE

January 23, 2017
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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No

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