

Sr. No.211

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM No. M-713 of 2017 (O&M)

Date of Decision:01.02.2017

Bharat Singh

... Petitioner

Versus

State of Haryana

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Sanjeev Kodan, Advocate,
for the petitioner.

Mr. Satish Saini, DAG, Haryana.

TEJINDER SINGH DHINDSA, J.(ORAL)

This order shall dispose of the present petition filed under Section 439 Cr.P.C. seeking regular bail to the petitioner pending trial in case FIR No.674 dated 01.10.2014, under Sections 148, 149, 307, 302 IPC and Sections 25/54/59 of Arms Act, registered at Police Station Jhajjar, District Jhajjar.

Counsel for the parties have been heard.

FIR came to be registered on the statement of Neeraj in relation to an occurrence that took place on 01.10.2014 and wherein his father Nanhe Ram lost his life. Precise allegations are targeted against six other co-accused of having come present on two motorcycles and armed with Lathis and country made weapons. Precise attribution is to Kuku and Sonu both co-accused of having fired shots from their weapons which hit in the chest and abdomen of Nanhe Ram. Nanhe Ram is stated to have succumbed to the injuries so suffered.

Name of the petitioner did not even figure in the FIR.

Petitioner is sought to be implicated in the present case on the strength of his own disclosure statement and as per which he had hatched a conspiracy with other co-accused to eliminate Nanhe Ram and had played a role of arranging money as also giving shelter to the main accused after the crime was committed.

Petitioner has been in custody since 15.11.2015.

The admissibility of such a disclosure statement suffered by the petitioner would be an aspect to be considered by the trial Court.

Challan already stands submitted and the trial is stated to be at the very initial stage and as such would take time to conclude.

In the totality of the circumstances and without making any observations on merits, prayer made in the present petition is accepted.

Petitioner be enlarged on bail subject to satisfaction of the trial Court/Duty Magistrate, Jhajjar.

Disposed of.

01.02.2017

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**

Whether speaking/reasoned

Yes

Whether Reportable

No