

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

CRM-M No.10445 of 2018

Decided on: 16.03.2018

Nehru

. . . Petitioner

Versus

State of Haryana

. . . Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. Anshul Khurana, Advocate
for the petitioner.

Mr. Amrik Narwal, DAG, Haryana.

TEJINDER SINGH DHINDSA, J. (Oral)

Petitioner seeks benefit of regular bail pending trial in case FIR No.576 dated 02.10.2016 registered under Section 302 read with Section 34 IPC (challaned under Section 302, 34 and Section 3 of SC/ST Act) at Police Station Meham, District Rohtak.

Counsel for the parties have been heard.

Deceased in the present case is Yudhvir, who was stated to be working as cook in the house of the complainant namely Ajay.

As per complainant version he had received information on 01.10.2016 during late evening hours that the present petitioner along with co-accused Mohit who had both been employed as Salesmen in the liquor vend of the complainant had committed the murder of Yudhvir.

It is a case of circumstantial evidence.

CRM-M No.10445 of 2018

No motive has been attributed in the present case that the present petitioner has committed the offence.

Prosecution relies heavily on disclosure statement made by the present petitioner as also co-accused Mohit. Evidentiary value of such disclosure statements would be an aspect to be dealt with by the trial Court.

Complainant Ajay and material witness Anand have also been examined before the trial Court and they have not supported the prosecution version.

Petitioner has faced incarceration since 04.10.2016.

It is not the case made out on behalf of the State that the petitioner, if granted concession of bail, would be in a position to hamper the course of a free and fair trial.

No useful purpose would be served by keeping the petitioner in custody till the culmination of trial.

Without making any observations on merits, petitioner is held entitled to the benefit of bail.

Petition is allowed.

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

Disposed of.

[TEJINDER SINGH DHINDSA]
JUDGE

March 16, 2018
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Whether Speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No