

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-15246-2018 (O&M)

Date of Decision: 25.4.2018.

Monu

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Rajat Mor, Advocate
for the petitioner.

Mr. Ashok Muthreja, DAG, Haryana.

RAJ SHEKHAR ATTRI, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure (for short, "Cr.P.C.) for grant of regular bail to the petitioner in case FIR No.459 dated 4.8.2017 registered for the offences punishable under Sections 302, 120-B, 34 of Indian Penal Code (for short, "IPC") and 25(1) Arms Act at Police Station Sadar, Bhiwani.

Heard.

It is a case of circumstantial evidence. Some unknown person had informed complainant-Smt.Chanderkala that someone has shot dead her husband. She suspected that her husband has been murdered by Satyawan, Mahabir, Deepak, Anil sons of Satyawan and Raghubir son of Leela. However, during investigation, Akash was arrested who suffered disclosure statement that Monu had arranged a pistol and asked them to kill the deceased. Monu petitioner had also identified the deceased. After that Chirag and Akash had followed the deceased and ultimately, the deceased

was murdered by Chirag. Akash main accused has already been granted bail

by this Court in CRM-M-43021-2017 vide order dated 20.11.2017. There is no other or circumstantial evidence against the petitioner.

Without expressing any opinion on merits of the case and keeping in view the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Monu son of Mahabir is ordered to be released on regular bail subject to the conditions, if any, and on furnishing bail bond and surety bond to the satisfaction of the concerned trial Court/Chief Judicial Magistrate/Duty Magistrate subject to following terms:-

- (a) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- (c) He shall not leave the country without the previous permission of the trial Court.

April 25, 2018

Paritosh Kumar

**(RAJ SHEKHAR ATTRI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No