

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

Sr. No.204

CRM-M-18124-2017
Date of decision : 25.01.2018

Joginder

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Robin S. Hooda, Advocate, for the petitioner.

Mr. Nishchal Mann, DAG, Haryana.

SUDHIR MITTAL, J. (Oral)

The petitioner seeks regular bail in case FIR No.229 dated 07.07.2014, registered at Police Station Sadar Gohana, District Sonapat, under Sections 302, 364, 201, 120-B 34 IPC.

2. It is submitted by learned counsel for the petitioner that the petitioner was not named in the FIR and that he was arrested on 19.06.2016 in a case under the Arms Act, 1959 and his name has been included in the present FIR on the basis of disclosure statement.

3. On the other hand, learned State counsel, on instructions from ASI-Narinder Singh submits that the petitioner was involved in murdering Krishan because he alongwith his co-accused threw the body of Krishan (deceased) in a canal.

4. A disclosure statement made by an accused is not evidence in the eyes of law. Apart from that, the person involved in the disposal of dead body alongwith the petitioner, has already been acquitted. Learned

counsel for the petitioner submits that the petitioner has been in custody since 19.06.2016. The challan has already been presented and the material witnesses have already been examined.

5. In view of the above, I deem it appropriate to allow this petition. Accordingly, the petition is allowed and the petitioner Joginder, is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Sessions Judge, Sonapat.

(SUDHIR MITTAL)
JUDGE

January 25, 2018

Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No