

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

210

CRM-M NO.19850 OF 2018

DATE OF DECISION: MAY 15, 2018

Vinod

.....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR.JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Rajesh Bansal, Advocate,
for the petitioner.

Mr. Apoorv Garg, DAG, Haryana,
for the State.

AUGUSTINE GEORGE MASIH, J. (ORAL)

The petitioner has filed the present petition for grant of regular bail in case FIR No.114, dated 12.05.2017, registered under Sections 307, 34 IPC (lateron added Sections 302, 201 IPC) at Police Station Israna, District Panipat.

It is the contention of learned counsel for the petitioner that the petitioner is a juvenile and as per the allegations in the FIR, he alongwith four other boys, including deceased Prince @ Bunty had gone together for having a bath in the canal. Deceased Prince did not know swimming and he was taking bath by holding a rope, where he drowned but the petitioner alongwith three friends did not disclose this fact to the family members despite they being questioned on that aspect. This indicated that they intentionally killed him and thrown him in the canal alongwith mobile phone and other belongings. In the post mortem report, which has been carried out on the body of deceased Prince, it has come that liquor had been

consumed by him. Petitioner was arrested on 14.05.2017 and is in custody since then with a charge having been framed on 03.04.2018 and there being 17 witnesses, the trial is not likely to conclude in near future and, therefore, the petitioner be granted the concession of bail.

Counsel for the State, on the other hand, on instructions from ASI Surjit Singh, Police Station Israna, District Panipat, contends that the petitioner alongwith others had been last seen by the complainant himself as they had come to the house of Prince @ Bunty and had taken him alongwith them. The factum of they having consumed liquor has also been established. However, the conduct of the petitioner alongwith other friends indicate the malafide intention on their part in not disclosing the factum that Prince has drowned. It indicates that it was an intentional act on their part of having done so. He, therefore, prays that the present petition be not accepted.

I have considered the averments made by counsel for the parties and keeping in view the fact that the petitioner is a juvenile as also keeping in view the allegations against him with the trial not likely to conclude soon as none of the 17 witnesses have been examined till date and the petitioner being in custody for one year, the the present petition is allowed. The petitioner is directed to be released on bail on his furnishing personal and surety bonds to the satisfaction of Trial Court concerned.

Any observation made herein above shall have no bearing on the merits of the case during the trial in any manner.

May 15, 2018
khurmi

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No