

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-20358-2018
Date of decision:10.09.2018

Sangram

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Amrainder Singh, Advocate
for the petitioner.

Mr. Ashok Singh Choudhary, Addl. A.G., Haryana.

GURVINDER SINGH GILL, J. (ORAL)

The petitioner seeks grant of regular bail in case registered vide FIR No.406 dated 06.04.2017 under Sections 365, 302, 201 read with Section 34 of Indian Penal Code, 1860 and Sections 25, 54, 59 of Arms Act registered with Police Station City Panipat, District Panipat.

The FIR was registered at the instance of Harish Kumar wherein he alleged that he owns car bearing registration No.HR06AA-1607 and had employed Ram Kumar as his driver and that on 05.04.2017 his driver had gone to Delhi Airport to drop one of his acquaintance and while he was returning back he was followed by a car belonging to the

brother of the complainant which was driven by his brother's driver namely Satish Kumar. It is alleged that while Satish Kumar returned back home, Ram Kumar did not return back and although he tried to look for him but he could not be traced. It is case of the prosecution that subsequently present petitioner who had been arrested in connection with FIR No.306 dated 07.04.2017 under Sections 398, 401 of Indian Penal Code, 1860 and Sections 25, 54, 59 of Arms Act, Police Station Sadar Karnal made a disclosure statement regarding his having murdered Ram Kumar.

Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and that the entire case which is based on circumstantial evidence is in fact based solely on the disclosure statement allegedly made in another case, in which he already stands acquitted.

On the other hand, learned State counsel has submitted that it is not just a disclosure statement but recovery of wrist watch and shoes of the deceased at the instance of petitioner which fully connect the petitioner with the murder of Ram Kumar.

Having heard learned counsel for the petitioner and also the State counsel and also bearing in mind the fact that the instant case is mainly based upon circumstantial evidence and that the petitioner has been in custody since the last one year and four months and also that as of now only nine witnesses out of twenty six witnesses have been examined, in my opinion, no fruitful purpose would be served by further detaining the petitioner behind bars as the conclusion of trial, in its normal course,

is likely to take some time. Accordingly, petitioner-Sangram is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate Panipat.

This petition stands accepted accordingly.

(GURVINDER SINGH GILL)
JUDGE

10.09.2018
Gaurav Sorot

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No