

**IN THE HIGH COURT OF PUNJAB AND HARAYANA AT CHANDIGARH
207**

CRM-M-21030-2018

Date of decision:24.05.2018

Sandeep

...PETITIONER

Vs.

State of Haryana

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Sukesh K. Jindal, Advocate,
for the petitioner.

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

AUGUSTINE GEORGE MASIH, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No. 114 dated 12.05.2017 registered under Section 307 read with Section 34 IPC (Sections 302 and 201 IPC were added and Section 307 was deleted during investigation) at Police Station Israna, District Panipat.

It is the contention of the learned counsel for the petitioner that the petitioner has been involved in the present case primarily because of the fact that he along with the son of the complainant, namely, Prince @ Bunty and others had gone near a canal and thereafter, as per the allegations, consumed liquor and meat followed by swimming. The son of the complainant stated to be not knowing the swimming, however, he was taking bath with the help of a rope and while taking bath, he drowned in the canal. Counsel contends that the petitioner has been roped in with an

allegation that they did not inform the family members about the deceased having drowned in the canal. Petitioner is in custody since 14.05.2017 and the trial is not likely to conclude in near future. He further states that the co-accused of the petitioner, namely, Vinod, who is similarly situated as the petitioner, has been granted bail by this Court vide order dated 15.05.2018 in CRM-M-19850 of 2018. He, therefore, prays for the same benefit.

Counsel for the State, on instructions from ASI Surjit Singh, Police Station Israna, District Panipat, could not dispute the factum of the allegations against the petitioner being identical to that of Vinod. He, however, states that the petitioner should not be granted the concession of bail as he had not informed the family members of the deceased about the incident, which had taken place

Having considered the submissions made by the counsel for the parties and keeping in view the fact that the petitioner is a juvenile with none of the 17 witnesses examined till date and the co-accused of the petitioner, who is similarly placed, having been granted the benefit of regular bail, the present application is allowed. Petitioner is directed to be released on bail on his furnishing bail/surety bonds to the satisfaction of the trial Court.

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

May 24, 2018
pj

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No