

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-219-2018 (O&M)

Date of decision: 30.07.2018

Satish Kumar

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. RK Trikha, Advocate for the petitioner.

Mr. Yashwinder Singh, DAG, Haryana.

Mr. GC Shahpuri, Advocate for the complainant.

RAMENDRA JAIN, J. (ORAL)

CRM-25770-2018

Application is allowed as prayed for.

Statement of PW-1-Surinder Kumar (Annexure P-6) filed along with the application is taken on record. Office to tag the same at the appropriate place.

CRM-M-219-2018

1. Through this petition under Section 439 Cr.P.C., petitioner-Satish Kumar, has prayed for grant of regular bail in case FIR No. 637 dated 21.09.2016 registered under Sections 302, 506, 120-B, 201, 404 and 203 IPC at Police Station City, Jagadhri, District Yamuna Nagar.

2. According to the prosecution, main accused, namely; Priyanka Batra along with her paramour-Rohit Kumar @ Maddi, murdered her husband Yogesh Batra, in connivance with petitioner-Satish Kumar and one

the aforesaid murder of Yogesh Batra.

3. Learned counsel for the petitioner *inter alia* contends that all the co-accused including the main one, namely; Rohit Kumar @ Maddi, Priyanka Batra and Shyam Sunder @ Sonu, have already been enlarged on bail by this Court vide order dated 06.12.2017 (Annexure P-4) passed in CRM-M-26881-2017 and other connected cases. The role attributed to the petitioner is that he caught-hold the feet of Yogesh Batra (deceased), whereas Rohit Kumar @ Maddi, paramour of Priyanka Batra, aforesaid, pressed the neck of the deceased. The petitioner is in custody since 24.03.2017. Conclusion of trial may take a long time. No useful purpose would be served by detaining the petitioner in jail. Treating the case of the petitioner on the same parity, he may be released on regular bail.

4. On the other hand, learned State counsel assisted by learned counsel for the complainant has not disputed the above submissions of learned counsel for the petitioner qua grant of bail to the main accused.

5. Considering over-all facts and circumstances, but without expressing any opinion on the merits of the case, the petition is allowed. Consequently, petitioner-Satish Kumar, is ordered to be released on bail pending trial, treating his on the same parity as that of his co-accused, namely; Rohit Kumar @ Maddi, Priyanka Batra and Shyam Sunder @ Sonu, on his furnishing bail bonds and local surety bonds, to the satisfaction of trial Court/Duty Magistrate concerned. Needless to mention that petitioner is resident of a far away State Uttar Pradesh.

July 30, 2018

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**(RAMENDRA JAIN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No