

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

**CRM-M-24932 of 2017 (O&M)
Date of Decision: April 19, 2018**

Sunil

...Petitioner

Versus

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Ms. Deepshikha Chauhan, Advocate
for the petitioner.

Mr. Pawan Kumar Jangra, Addl. A.G. Haryana.

FATEH DEEP SINGH, J.

The allegations against the petitioner Sunil, son of Rajbir in this regular bail application under Section 439 Cr.P.C are that on 24.4.2015 when the complainant Anand along with others was getting prepared a car of Sunil @ Sonu, son of Ishwar it is alleged that Sunil deceased along with his wife arrived on motorcycle and at that very time when complainant along with Sunil deceased and others were inspecting the vehicle, Jaggi, Bindu, Kala son of Yadram Prajapat came on Santro vehicle and fired shots leading to death of deceased Sunil on the spot and registration of the present case.

The allegations against the petitioner Sunil son of Rajbir are that it was at his behest a criminal conspiracy has been hatched. The contentions of learned counsel for the petitioner are that neither the petitioner has been named in the FIR nor any role is attributed to him in the commission of offence and no evidence has come about for his implication in the crime.

Learned State counsel though has sought to oppose the grant of bail to the petitioner but has readily conceded that till date nothing concrete has come in evidence against the petitioner Sunil son of Rajbir except the allegation that he was instrumental in hatching a conspiracy.

Appreciating the submissions, the contentions of learned counsel for the petitioner that petitioner is behind the bars since more than three years and that there is not even an iota of evidence to link the petitioner with commission of an offence which arguments could not be controverted by learned State counsel. Keeping in view the inordinate period of incarceration and lack of evidence at this juncture so is conceded by learned State counsel and that trial is not likely to be concluded in near future and no useful purpose would be served by keeping the petitioner behind the bars, and culpability, if any, shall be determined at the time of trial, the present petition stands allowed. The petitioner be admitted to bail to the satisfaction of trial Court.

(FATEH DEEP SINGH)
JUDGE

April 19, 2018
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No