

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

CRL. MISC. No.M-30755 OF 2018 (O&M)
DATE OF DECISION : 26th OCTOBER, 2018

Mohit

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM : HON'BLE MR. JUSTICE A. B. CHAUDHARI

* * * *

Present : Mr. R. S. Randhawa, Advocate for the petitioner.

Mr. Vivek Saini, Deputy Advocate General, Haryana.

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A. B. CHAUDHARI, J. (ORAL)

This is second petition by the petitioner filed under Section 439 Cr.P.C. seeking regular bail in FIR No.537, dated 08.07.2016 registered under Sections 302, 396, 447 & 120-B IPC registered at Police Station Civil Lines, District Karnal, Haryana.

Heard learned counsel for the rival parties.

The petitioner was arrested on 14.07.2016 and is in jail since then as under trial. This Court initially did not granted bail to the petitioner and this is the second petition for grant of bail in hope that the trial may be completed till now. However, after lapse of two years the trial has not yet been completed.

Nevertheless, this Court wanted to see the evidence that was tendered by the prosecution before the trial Court, instead of granting bail to the petitioner in this petition. Accordingly, the evidence has been

placed on record. I have gone through the nature of the evidence tendered by the prosecution before the trial Court. Indeed there is recovery of artificial jewellery. Learned State counsel submits that insofar as the co-accused are concerned, blood stained clothes along with jewellery has been recovered from them. However, except the recovery of some jewellery, prima facie, there is no other evidence against the petitioner in respect of committing murder of the deceased.

In that view of the matter, I am inclined to grant bail to the petitioner. Hence, I make the following order:

ORDER

- (i) The CRL. MISC. No.M-30755 OF 2018 is allowed.
- (ii) The petitioner is ordered to be released on bail to the satisfaction of the concerned CJM/Duty Magistrate.
- (iii) The petitioner shall not tamper or influence the prosecution witnesses in any manner.
- (iv) If any prosecution witness makes a complaint about the petitioner tampering the evidence, the police shall apply to this Court for cancellation of the order of regular bail immediately.
- (v) The petitioner to surrender his passport with the trial Court, if he possesses the same.

26TH OCTOBER, 2018
'raj'

(A. B. CHAUDHARI)
JUDGE

Whether speaking/reasoned: *Yes* *No*

Whether Reportable: *Yes* *No*