

224 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

HEMLATA  
2018.09.04 17:52  
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CRM-M-36934-2018 (O&M)

Date of decision:04.09.2018.

Sanjay Sharma @ Dada

...Petitioner

Versus

State of Haryana

...Respondent

**CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT**

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

Mr. Karan Sharma, AAG, Haryana.

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**RAJBIR SEHRAWAT, J. (ORAL)**

Prayer in the petition is for grant of bail pending trial in case FIR No. 553 dated 15.12.2015 under Sections 302, 120-B, 34 of IPC and Section 25 of Arms Act, registered at Police Station Kharkhoda, District Sonapat.

Learned counsel for the petitioner contends that the role of the petitioner in this case is alleged only qua conspiracy. The petitioner is not even alleged to be involved directly in committing the murder of the deceased. The allegation against him is only qua the alleged supply of the weapons of the offence to the main accused. It is further contended that the main accused of conspiracy to get the deceased killed has been granted bail. It is further contended that the petitioner is in custody since 15.12.2016 and only 15 witnesses have been examined, out of 53 witnesses. Even out of the witnesses which have been examined, the main witnesses have not been supported the case of the prosecution. It is further contended that the trial is likely to take long time and the petitioner is not required for any investigation purposes.

On the other hand, learned State counsel submits that the petitioner is actively involved in the crime as he has supplied the weapons of the offence to the main accused. It is further contended that there are other cases against the petitioner, including a case under Section 302 of IPC.

As reply to this, counsel for the petitioner has submitted that he is on bail in another case in which the name of the petitioner is falsely involved. He is not in custody in any other case except the present one and except in another case, which is only under the Arms Act.

In view of the above submissions made by learned counsel for the petitioner, but without commenting anything on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Illaq Magistrate, concerned.

**(RAJBIR SEHRAWAT)**  
**JUDGE**

**04.09.2018**

Hemlata

Whether speaking/reasoned  
Whether reportable

Yes / No  
Yes / No