IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Criminal Misc. No. M-37274-2018
Date of Decision: 30.10.2018

Tota Ram

.. Petitioner

Vs.

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Abhimanyu Kalsy, Advocate for
Mr. Rakesh Dhiman, Advocate for the petitioner.

Mr. B.S. Virk, DAG, Haryana
for respondent(s)-State.

...

Inderjit Singh, J.

Petitioner Tota Ram has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.105 dated 26.02.2017, registered at Police Station Manesar, District Gurugram, under Sections 346, 365, 302 and 201 of the Indian Penal Code.

Notice of motion has been issued. Learned State counsel appeared and contested the instant petition.

I have heard learned counsel for the petitioner as well as learned State counsel and gone through the record.

From the record, I find that the FIR in the present case, had been got registered by Geeta wife of deceased Lekh Raj to the effect that her husband was found missing since 23.02.2017. As per her information, her husband Lekh Raj (deceased) had gone with Tota Ram and Dharampal.

At the time of argument, learned State counsel states that there is a last scene evidence in this case to connect the accused with the crime and the cause of death is stated to be asphyxia by way of strangulation.

Jasmine Kaur
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I attest to the accuracy and
authenticity of this document

The petitioner has been in custody since 15.04.2017. He is not required for any investigation or interrogation purposes as he is in judicial custody. The trial of the case will take long time. No useful purpose will be served by keeping him in custody till the final disposal of the case.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bonds in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

(INDERJIT SINGH)
JUDGE

30.10.2018
Jasmine Kaur

Whether speaking/reasoned Yes
Whether reportable No

Jasmine Kaur
2018.10.30 16:43
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