

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.211

CRM-M-38552-2018

Date of decision : 07.09.2018

Sunil

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

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

Mr. D.R. Singla, DAG, Haryana.

SUDHIR MITTAL, J. (Oral)

The petitioner seeks regular bail in case FIR No.167 dated 12.04.2018, registered at Police Station Rai, District Sonipat, under Sections 302, 34 and 120-B IPC (Section 212 IPC added during challan) and Section 25 of the Arms Act, 1959.

As per the complaint, father of the complainant was murdered on 12.04.2018 by three persons, namely, Manjeet son of Umed, Raju Bhasodi and Akshay.

Learned counsel for the petitioner submits that the petitioner has been named as an accused in the supplementary statement of the complainant dated 17.04.2018. The petitioner has been in custody since 20.04.2018 and the investigation is complete. In the challan presented by the police, three persons, namely, Yogesh @ Yoni, Pardeep @ Poppy and Deepak have been named as the persons, who actually fired at the deceased persons and the petitioner allegedly conspired with those persons to commit the murder. There is no other case pending or decided against the petitioner. The trial is likely to take long time to conclude and no useful purpose would be served by keeping the petitioner in custody indefinitely.

Learned State counsel submits that a heinous offence has been committed by the petitioner and even though, there is no other case pending against him, he is not entitled to grant of discretionary relief of regular bail.

Considering the fact that the petitioner has no criminal antecedents as well as the fact that the accusation against him is only of conspiracy, it would be in the interest of justice to grant regular bail to him. The trial has commenced and no useful purpose would be served by keeping the petitioner in custody indefinitely. Accordingly, the petition is allowed and the petitioner-Sunil, is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the trial Court concerned.

(SUDHIR MITTAL)
JUDGE

07.09.2018.

Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No