

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

**Criminal Misc. No. M-43250 of 2018
Date of decision: 05.12.2018**

Manjeet

..Petitioner

Versus

State of Haryana

..Respondent

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Mr. Rakesh Kumar Lathwal, Advocate and
Mr. Man Mohit Malik, Advocate
for the petitioner.

Mr. R.S. Doon, AAG, Haryana
for the respondent-State.

Daya Chaudhary, J. (Oral)

The present petition has been filed by petitioner-Manjeet under Section 439 Cr.P.C. for grant of regular bail to him in case FIR No.265 dated 15.10.2017 registered under Sections 148, 149, 324, 307, 302, read with Section 120-B IPC at Police Station Barauda, District Sonapat (Haryana) during pendency of the trial.

Learned counsel for the petitioner submits that the petitioner was not named in the FIR and no specific role has been attributed to him. The petitioner has been implicated in the case only on the basis of disclosure statement made by co-accused. Learned counsel further submits that co-accused of the petitioner, namely, Vicky, approached this Court by way of filing Criminal Misc. No. M-20077 of 2018 and he has been released on regular bail vide order dated 06.09.2018. Learned counsel also submits that there was no motive of the petitioner to commit murder or to be part of

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that group which committed murder of the deceased. No recovery was effected from the petitioner and the alleged weapon shown to have been recovered from the petitioner was not having any blood stain and no blood sample was sent to the FSL for matching of the blood of deceased. Learned counsel also submits that the petitioner is having no criminal background as no other case is pending against him. The petitioner is a young person of 25 years of age. The petitioner is in custody since 08.11.2017.

Learned State counsel has not disputed the custody period as well as release of co-accused on bail and also the fact that the blood found on the weapon was not sent for comparison. Learned State counsel has opposed grant of regular bail to the petitioner on the ground of seriousness of offence as recovery of weapon was effected from him and that there are allegations of Section 120-B IPC.

Heard arguments of learned counsel for the petitioner as well as learned State counsel and have also perused the contents of the FIR and other documents available on the file.

Without commenting anything on the merits of the case and keeping in view the submissions made by learned counsel for the petitioner that the petitioner is in custody since 08.11.2017; co-accused of the petitioner, namely, Vicky has been released on bail by the trial Court; the petitioner has been implicated in the case only on the basis of disclosure statement made by co-accused, which has no evidentiary value; the trial may take time to conclude; no purpose would be served by keeping the petitioner in custody, the present petition is allowed and the petitioner (Manjeet) is

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directed to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court.

05.12.2018
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(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	No