

Sr. No.221

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

CRM No. M-43392 of 2017 (O&M)

Date of Decision: 15.03.2018

Gopal @ Pale

... Petitioner

Versus

State of Haryana

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Aditya Sanghi, Advocate,
for the petitioner.

Mr. Ashish Yadav, Additional A.G., Haryana.

TEJINDER SINGH DHINDSA, J.(ORAL)

Petitioner seeks regular bail pending trial in case FIR No.03 dated 01.01.2015, under Sections 148/149/364/302/201/120-B IPC and Sections 25/54/59 of Arms Act, registered at Police Station Sadar Bahadurgarh, District Jhajjar, Haryana.

FIR had been registered on the statement of Narender.

Deceased in the present case are Munish (cousin of complainant), Sandeep, Sudhir and Deepak whose bodies were found burnt and in a Toyota Etios car on 01.01.2015.

In the FIR, a suspicion was cast on Ravinder @ Bholu and the present petitioner along with other co-accused were stated to be in conspiracy.

Prosecution relies heavily on the disclosure of a co-accused i.e. Rahul @ Kana and as per such disclosure statement, presence of the petitioner at the time of commission of offence is

reflected and he was also allegedly involved along with the accused while destroying the evidence.

It is a case of circumstantial evidence.

Petitioner has faced incarceration since 02.06.2016.

Trial would take time to conclude inasmuch as out of 64 prosecution witnesses cited only 15 have been examined till date.

It has gone uncontroverted that co-accused Dharmender @ Golu i.e. brother of the main accused Ravinder and who would be similarly situated as the present petitioner has been granted benefit of bail by this Court in the light of order dated 24.08.2016 in CRM No.M-20085 of 2016.

Without making any observations on merits, prayer made in the present petition is accepted.

Petition is allowed. Petitioner be enlarged on bail subject to satisfaction of the trial Court/Duty Magistrate, Jhajjar.

Disposed of.

15.03.2018

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes
No