

CRM-M-46630-2018

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

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Date of Decision: 29.10.2018

Jasbir

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Rakesh Kumar Lathwal, Advocate,
for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

INDERJIT SINGH, J. (Oral)

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.437 dated 15.07.2017, registered at Police Station City Sonapat, District Sonapat, under Sections 302, 201 and 34 of the Indian Penal Code.

Notice of motion has been issued. Learned State counsel has appeared on behalf of the respondent-State and contested this 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 FIR regarding death of Pinki wife of Sunil has been got registered against unknown persons. During

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the investigation, it was found that Sunil, husband of Pinki has killed his wife with the help of the present petitioner. The present petitioner has been nominated on the disclosure statement of main accused-Sunil and attribution to him (present petitioner) is that he caught hold of the legs of the deceased. No injury has been attributed to him. He has no motive to kill the wife of main accused.

Learned State counsel submits that the present petitioner agreed to help the main accused for ₹40,000/-, out of which an amount of ₹20,000/- has already been received by him from main accused-Sunil.

Perusal of record shows that main accused is Sunil, who has killed his wife in his house. The present petitioner is not the main accused and he has been named by the co-accused. Moreover, brother and father of the deceased, who had already been examined, have not supported the prosecution version during their cross-examinations.

The petitioner has been in custody since 23.07.2017. He is not required for any investigation or interrogation purposes as he is in judicial custody. The trial of case may take a long time. No useful purpose will be served by keeping the petitioner 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

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₹50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

29.10.2018

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Whether speaking/reasoned	:	Yes
Whether reportable	:	No