

Sr. No.229

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

CRM No. M-6813 of 2018 (O&M)

Date of Decision: 22.02.2018

Raj Kumar

... Petitioner

Versus

State of Haryana

... Respondent

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

Present:- Mr. Vijay Saini, Advocate,
for the petitioner.

Mr. Amrik Narwal, DAG, Haryana.

Mr. Ajay Kumar Kansal, Advocate,
for the complainant.

TEJINDER SINGH DHINDSA, J.(ORAL)

Petitioner seeks regular bail pending trial in case FIR No.538 dated 05.06.2017, under Sections 420, 467, 468, 471, 302, 201, 120-B, 34 IPC and Sections 25/54/59 of Arms Act, registered at Police Station City Jind, District Jind.

Counsel for the parties have been heard.

FIR came to be registered on the statement of Nar Singh.

Deceased is Anand i.e. son of the complainant. Anand is stated to have been shot dead and killed by two unnamed motorcycle riders on Rohtak Road in front of Malik Hospital on 05.06.2017.

In the FIR complainant has cast a suspicion on Suman i.e. widow of elder son of the complainant, namely, Joginder as

also her family members.

As per prosecution version, the story that has unfolded has nothing to do with Suman or her family members.

Prosecution version is that one Dalbir i.e. cousin of Anand (deceased) had a property dispute and who in turn had hatched a conspiracy and engaged contract killers to eliminate Anand. Banarasi and Bijender co-accused are stated to have acted as contract killers and having shot Anand dead.

Insofar as the present petitioner is concerned, he is sought to be implicated on the statement of co-accused and the role ascribed to him is of having supplied two sim cards to the contract killers.

Petitioner has been roped in with the aid of Section 120-B IPC.

It is a case of circumstantial evidence.

Complainant Nar Singh who has also since expired was not an eye witness to the alleged occurrence.

Petitioner has faced incarceration since 20.06.2017.

Trial is still at the initial stage and would take time to conclude.

It is not the case made out on behalf of the State or on the part of the complainant that benefit of bail if granted to the petitioner, he would be in a position to hamper the course of free and fair trial and to intimidate the witnesses.

Without making any observations on merits, petitioner is held entitled to the benefit of bail.

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

Disposed of.

22.02.2018

vandana

(TEJINDER SINGH DHINDSA)
JUDGE

Whether speaking/reasoned

Yes

Whether Reportable

No