

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

1. CRM-M-6586-2019 (O&M)
Date of decision : 10.05.2019
Sanjay alias Chochu ...Petitioner

Versus

State of Haryana ...Respondent

2. CRM-M-18752-2019 (O&M)
Date of decision : 10.05.2019
Rohit ...Petitioner

Versus

State of Haryana ...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. D.S. Matya, Advocate for the petitioner
(In CRM-M-6586-2019)

Mr. Jagmohan Ghumman, Advocate for the petitioner
(In CRM-M-18752-2019)

Mr. Sanjay Saini, AAG, Haryana.

ANIL KSHETARPAL, J. (ORAL)

CRM No.10598 of 2019 in CRM-M-6586-2019

Application is allowed.

Main cases

By this common order, CRM-M-6586-2019 and CRM-M-18752-2019 shall stand disposed of.

Prayer in both the petitions is to grant regular bail to the petitioners in FIR No.868 dated 22.12.2017 registered under Sections 34, 364, 506 of the Indian Penal Code (Sections 302, 201 of the IPC and Sections 3, 33, 89 of the SC/ST Act, 1989 subsequently added) at Police Station Sector-10, District Gurugram.

Learned counsels for the petitioner in both the cases have submitted that the material witnesses including the complainant-Seema have been examined who have not supported the case set up by the prosecution. He has referred to the statements of PW1 Rakesh, PW2 Om Parkash, PW3 Seema and PW4 another Om Parkash.

Learned counsel has further submitted that the petitioners are in custody for a period some days short of 1 year and 6 months.

On the other hand, learned counsel for the respondent-State has submitted that the petitioners are accused of a heinous crime and the case is based upon circumstantial evidence.

This Court has considered the submissions.

It is not in dispute that the investigation is complete, challan has been presented and the material witnesses have been examined who have not supported the prosecution.

Without commenting on the merits of the case and keeping in view the fact that the petitioners are in custody to a period some days less than 1 year and 6 months and the trial of the case is likely to take a long time, the petitioners are directed to be released on bail on their furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate, Gurugram.

Accordingly, both the petitions are allowed.

10.05.2019

Pawan

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned:- Yes/No
Whether reportable:- Yes/No