

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

CRM-M No. 9234 of 2019
Date of decision : March 19, 2019

Satender

..... Petitioner

v.

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Gourav Verma, Advocate
for the petitioner.

Mr. Gaurav Bansal, AAG Haryana

Ajay Tewari, J (Oral)

The petitioner seeks grant of regular bail in case FIR No.229, dated 27.4.2018, registered under Section 302, 120-B of the IPC, at Police Station Sadar Sonapat, District Sonapat.

As per allegations in the FIR, the petitioner was related to the deceased and had turned him to be an alcoholic and for that reason, the family of the deceased had cut off contacts with the petitioner. It is further alleged that on 25.4.2018, the petitioner had called up the deceased and asked him to come to his house and despite objections of the family of the deceased he went to the house of the petitioner. It was alleged that the petitioner had pushed the deceased into the canal where he died.

Counsel for the petitioner has argued that there is no evidence

to show that the petitioner ever called the deceased or that the deceased came to the petitioner. There is not even a single injury mark on the body of the deceased and this case of accidental death/suicide is being given the colour of murder, and the petitioner has now been in custody for more than 10 months.

Custody certificate has been filed, as per which the petitioner has undergone 10 months and 19 days of custody.

Learned AAG Haryana has argued that there is a disclosure statement but he is not in a position to deny that there is no evidence available even now that the petitioner had called the deceased or that the deceased had gone to the house of the petitioner.

In these circumstances, without commenting upon the merits of the case, and keeping in view the period of custody already suffered by the petitioner, I do not deem it appropriate to deny the concession of regular bail to the petitioner.

Bail to the satisfaction of the trial Court/Duty Magistrate.

Petition stands disposed of.

Since the main case has been decided, the pending C.Ms, if any, also stand disposed of.

March 19, 2019
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(AJAY TEWARI)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No