

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

221

CRM-M-23399-2018

DATE OF DECISION: 13.11.2019

PARTAP SINGH

... Petitioner(s)

Versus

STATE OF HARYANA

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Anter Singh Brar, Advocate
for the petitioner.

Mr. Kapil Aggarwal, Addl. A.G., Haryana.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking regular bail in FIR No.117 dated 29.07.2017, under Sections 302, 201 and 34 IPC, registered at Police Station Raipur Rani, District Panchkula.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR and has been arraigned as an accused only on the basis of circumstantial evidence. He further contends that the FIR was registered 07 months after the date of occurrence. No prima facie evidence has come up to indicate the involvement of the petitioner in the commission of the offence. The petitioner has been arraigned as an accused on the statement of the co-accused Vinod who is the main accused in the matter. He also contends that PW-1 an alleged eyewitness and PW-2 who was the complainant, in their deposition before the trial Court, have not specified the role of the petitioner as it has been alleged

by them that it had come to their knowledge later that the petitioner was also accompanying the main accused. The petitioner is in custody for over 2 years and 1 month and is not involved in any other case.

Learned State counsel contends that it is a case of circumstantial evidence although the main accused is Vinod but the petitioner was also named as an accused later on, on the statement of Vinod. He also states that 11 witnesses have been examined and 23 witnesses remain to be examined.

Heard.

In view of the submissions of learned counsel for the petitioner, especially when it is a case of circumstantial evidence, the petitioner is in custody for over 2 years, he is not involved in any other case and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ANUPINDER SINGH GREWAL)
JUDGE

13.11.2019.

SwarnjitS

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