

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.216

CRM-M-41253-2018

Date of decision : 8.1.2019

Ramdiya

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. GS Duhan, Advocate, for the petitioner.

Mr. D. R. Singla, DAG, Haryana

SUDHIR MITTAL, J. (Oral)

The petitioner seeks regular bail in case FIR No.494 dated 29.11.2017, registered at Police Station Barwala, District Hissar, under Section 302 IPC and Section 25 of the Arms Act, 1959.

Learned counsel for the petitioner submits that the deceased Ved Parkash was found dead at a liquor shop with blood oozing out of his mouth. His relatives cremated his body thinking that it was a case of accidental death. Subsequently, the petitioner has been arrested on the charge of murdering Ved Parkash by firing 02 shots at him and this incident has allegedly been recorded in a CCTV camera installed in the liquor vend. However, the footage is not clear and neither the petitioner nor the deceased can be recognized therein. The petitioner has been in custody since 10.12.2017. The case was adjourned earlier to enable the complainant to depose, but the complainant has not thought it fit to appear for getting his evidence recorded despite more than 02 months having elapsed. The trial is not likely to be concluded at an early date and the petitioner does not have any criminal antecedents, thus, he may be granted regular bail.

Custody certificate dated 7.1.2019, prepared by Sh. S.S.

by the learned State counsel in Court today and the same is taken on record.

According to this certificate, the petitioner has undergone actual custody of 01 year and 26 days and there is no criminal case is pending against him.

The factual submissions made by counsel for the petitioner have not been controverted by learned State counsel.

Thus, in the facts and circumstances of this case, it would be in the interest of justice to release the petitioner on bail, in view of the fact that the trial is not likely to be concluded at an early date and the petitioner has no criminal antecedents. Accordingly, the petition is allowed and petitioner-Ramdiya, is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the trial Court concerned.

(SUDHIR MITTAL)
JUDGE

8.1.2019

Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No