

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No. 24615 of 2019 (O & M)
Date of Decision:-22.07.2019

Abhimanyu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Anshumaan Dalal, Advocate
for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

MANOJ BAJAJ J.(Oral)

Petitioner Abhimanyu has filed the present petition under Section 439 Cr.P.C. for grant of regular bail pending trial in case FIR No.534 dated 24.12.2017, under Section 302 read with Section 34 IPC, registered at Police Station Beri, District Jhajjar. The petitioner is in custody since the date of arrest on 12.3.2018.

The FIR was registered on the statement of complainant Ramesh, wherein it was alleged that on 23.12.2017, he alongwith his nephew Sumit had gone to water his fields and at about 9/10 PM, he returned to his house, but Sumit continued watering the fields. In the morning, he (complainant) came to know that Sumit was murdered. On inquiry, he came to know that accused Sanjay alongwith his wife Sonia, brother Subhash and wife of Subhash had committed murder of Sumit. The accused persons were arrested and on the basis of disclosure statement of accused Sonia, accused Abhimanyu (petitioner) and Sehdev were

also arrested.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR. According to him the occurrence took place in the house of accused Sanjay, where dead body of the victim Sumit was found. He contends that the victim Sumit was having an evil eye on the minor daughter of co-accused Sanjay and Sonia. It is further pointed out that the material witness i.e. the complainant has already been examined and co-accused Sonia was released on regular bail by this Court vide order dated 07.2.2019 in CRM-M-55929-2018.

On the other hand, the prayer is opposed by learned State counsel, who is assisted by SI Satbir Singh on the ground that the offence is serious in nature. However, it is not disputed that the petitioner was indicted subsequently on the basis of statement given by co-accused Sonia. It is also pointed out that the petitioner is related to co-accused Sonia and during investigation, his mobile location was also located near the place of occurrence in Village Gaangtan.

Considering the custody period and the fact that co-accused Sonia is extended the concession of regular bail by this Court vide order dated 07.2.2019 in CRM-M-55929-2018 and the fact that the trial will take sufficient time for conclusion, this Court does not find any valid reason for further detention of the petitioner in judicial custody. Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing the requisite bail bonds and surety bonds to the satisfaction of the trial Court.

The petition is allowed.

July 22, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No