

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

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CRM-M-36330-2019.

Date of Decision: 29.10.2019.

Sonu Dabas

....Petitioner.

Versus

State of Haryana

....Respondent.

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Gautam Dutt, Advocate, for the petitioner.

Mr. Chetan Sharma, Assistant Advocate General, Haryana.

Anupinder Singh Grewal, J.

The petitioner is seeking regular bail in FIR No.286 dated 27.09.2018, under Sections 302, 201, 202, 342, 120-B & 34 IPC, registered at Police Station Sadar, PGIMS Rohtak, District Rohtak.

Learned counsel for the petitioner contends that no overt act has been attributed to the petitioner in the F.I.R. and he has been arraigned as an accused for the commission of offence punishable under Section 120-B IPC. PW1, who is the uncle of the deceased, PW2, who is the sister of the deceased, PW3, who is the mother of the deceased and two doctors i.e. PW4 and PW5, have not supported the prosecution case. PW4 and PW5 were the doctors before whom the dead body of the deceased was brought and they in their statements have stated that they had seen the accused for the first time in the Court and the police had obtained their signatures on blank papers. The petitioner is in custody since his arrest on 16.10.2018. He also contends that co-accused, namely Sachin, Sudhir and Dhiren have been granted regular bail by this Court vide order dated 18.07.2019 passed in CRM-M-29363-2019 and order dated 29.10.2019 passed in CRM-M-32647,

34178-2019 and the petitioner is not involved in any other case.

Learned State counsel, upon instructions from SI Karan Singh, is not in a position to controvert the submissions made by the learned counsel for the petitioner. He also contends that the petitioner had allegedly called the deceased before his disappearance as mentioned by the mother of the deceased. He further does not controvert that the mother of the deceased while being examined as PW3 did not support the prosecution case regarding involvement of the petitioner. He further contends that 09 out of 21 prosecution witnesses have been examined.

Heard.

In view of the submissions of learned counsel for the petitioner especially when he is not involved in any other case, he is in custody for almost 01 year since 16.10.2018, similarly situated co-accused namely, Sachin, Sudhir and Dhiren have been granted regular bail by this Court vide order dated 18.07.2019 passed in CRM-M-29363-2019 and order dated 29.10.2019 passed in CRM-M-32647, 34178-2019 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 instant 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

29.10.2019
jitender

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No