

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

259

CRM-M-48438-2019

Date of decision : 11.12.2019

Sushil @ Sheela

... Petitioner

Versus

State of Haryana

.. Respondent

CORAM :HON'BLE MR.JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. K.S. Dhaliwal, Advocate for the petitioner.

Mr. Ashish Sanghi, DAG, Haryana.

Anupinder Singh Grewal, J. (Oral)

The petitioner is seeking regular bail in FIR No.585 dated 29.09.2018 under Sections 148, 149, 201, 302 & 120-B IPC, registered at Police Station Safidon, District Jind.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR wherein eight persons have been named. It is alleged that co-accused, namely, Mahipal was having strained relations with his wife and he along with other co-accused had killed her. He further contends that the petitioner has been arraigned as an accused on the statement of co-accused Mahipal that he had taken the help of the petitioner and other co-accused, namely, Manish. He, however, contends that there is no other *prima facie* evidence besides the statement of co-accused Mahipal to connect the petitioner with the commission of the offence. The petitioner is in custody for over one year and two months and is not involved in any other case.

Learned State counsel, upon instructions from ASI Wazir Singh, states that although charges have been framed but no prosecution witness has been examined so far. He also contends that the petitioner had confessed before the police while in custody that he had committed the offence at the behest of Mahipal. He, however, is not in a position to point out any other *prima facie* evidence against the petitioner besides the statement of co-accused Mahipal.

Heard.

In view of the submissions of learned counsel for the petitioner especially when the petitioner being in custody for over one year and two months; 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 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

December 11, 2019

sonia gugnani

Whether speaking/reasoned	:	Yes
Whether Reportable	:	Yes/No