

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

**CRM-M-53299 of 2019
Date of Decision: 18.12.2019**

Krishan ...Petitioner
Versus
State of Haryana ...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Sunil Saharan, Advocate
for the petitioner.

Mr. Rahul Mohan, DAG, Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 317 dated 13.10.2018 registered under Sections 346 IPC, 1860 (Sections 302, 201, 34 of IPC, 1860 and Section 3 of SC & ST Act, 2015 added later on) at Police Station Narnaund, District Hisar.

Learned counsel for the petitioner states that the case is of last seen evidence and only the oral statement of the petitioner has been taken into consideration. The body of the deceased-Naresh was found in the canal. Petitioner is in custody since 15.10.2018.

On the instructions of ASI Ranbir Singh, learned State counsel states that two accused namely Krishan and Ram Diya have committed the murder of Naresh. The occurrence took place on 07.10.2018 whereas the FIR was registered on 13.10.2018. Moreover, disclosure statement of the petitioner is before the police authority, which is not admissible in the eyes of law and out of 17 witnesses, only 5 witnesses have been examined. The trial would take time to conclude.

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In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed and the petitioner is ordered to be released on regular bail to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

18.12.2019
Maninder

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