

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

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**CRM-M No. 53635 of 2019
Date of decision : 19.12.2019**

Deepak @ Deepender Chauhan

.....Petitioner

Vs.

State of Haryana

.....Respondent

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. D.S. Matya, Advocate, for the petitioner

Mr. Amrik Narwal, DAG, Haryana

Rajbir Sehrawat, J. (Oral)

The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of bail pending trial in case FIR No. 463 dated 19.7.2019, registered under Sections 302, 120B, 34 and 201 IPC and under Section 25 of Arms Act, at Police Station Sector 7, Faridabad.

It is contended by learned counsel for the petitioner that the case against the petitioner is totally concocted. He has been involved in this case only on the basis of some previous dispute with the deceased, claiming that due to the said dispute the petitioner had the motive to eliminate the deceased. Therefore, the allegations against the petitioner is qua conspiracy of killing the deceased. However, even to substantiate that charge against the petitioner, no material has been collected by the investigating agency. Except the alleged disclosure statement of the co-accused, there is no material even alleged by the prosecution; which could connect the petitioner to the crime. Still further, it is submitted that the petitioner is in custody since 20.7.2019. The investigation of the case is complete. There is no other case against the petitioner. Hence,

the petitioner deserves to be released on bail pending trial.

On the other hand, counsel for the State, being instructed by ASI Mohd. Rafik, submits that the petitioner is involved in a heinous crime. However, it is not disputed that except the disclosure statement of the co-accused, there is no material with the police to connect the petitioner to the crime. It is also not disputed that there is no other case against the petitioner and that the petitioner is in custody since 20.7.2019.

In view of the above, but without commenting upon merits of the case, the present petition is allowed. It is ordered that the petitioner be released on bail on his furnishing bail bonds/sureties to the satisfaction of the trial Court/Duty Magistrate.

(RAJBIR SEHRAWAT)
JUDGE

19.12.2019

Ashwani

Speaking/Reasoned	:	Yes/No
Reportable	:	Yes/No