

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-6568-2020

Date of Decision: 19.02.2020

Saurabh @ Sunny

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Ms. Suman Sagar, Advocate for the petitioner.

Mr. Pawan Garg, AAG, Haryana.

RAMENDRA JAIN, J. (ORAL)

Petitioner-Saurabh @ Sunny, is facing trial in case FIR No. 109 dated 07.09.2018 registered under Section 302 IPC at Police Station GRP Hisar, District Hisar, on the allegations that in the intervening night of 06/07.09.2018, he committed murder of husband of complainant, namely; Raju Ram.

Learned counsel *inter alia* contends that prosecution case against the petitioner is based on circumstantial and last seen evidence, which is a very weak type of evidence. Even the material witness i.e. complainant and last seen witness have turned hostile. Petitioner is in custody since 10.09.2018. Conclusion of trial may take a long time. No useful purpose would be served by detaining him in jail. Nothing has to be recovered from him.

On the other hand, learned State counsel vehemently

opposed the submissions of learned counsel for the petitioner.

Considering overall facts and circumstances, but without expressing any opinion on the merits of case, the petition is allowed. Consequently, petitioner-Saurabh @ Sunny, is ordered to be released on bail pending trial, if, not required in any other case, on his furnishing adequate bail and surety bonds to the satisfaction of trial Court/Duty Magistrate, concerned.

February 19, 2020
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(RAMENDRA JAIN)
JUDGE

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