

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-8211 of 2020
Date of decision:01.07.2020

Anil

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Rakesh Kumar Lathwal, Advocate
for the petitioner.

Mr. Amit Aggarwal, Deputy Advocate General, Haryana.

SUVIR SEHGAL, J. (Oral)

The Court has been convened through video conferencing due to Covid-19 pandemic.

The petitioner is seeking regular bail in FIR No.100 dated 05.08.2018 under Sections 307 and 454 of Indian Penal Code, 1860 (Sections 302, 450 and 120-B IPC were added later on and Section 454 IPC was deleted) and Section 25 of Arms Act, 1959 registered at Police Station Mohana, District Sonapat.

Learned counsel for the petitioner has submitted that the petitioner is in custody since 28.12.2018. FIR was lodged on 05.08.2018. In the FIR, the complainant did not name the petitioner but subsequently, on 11.08.2018, the mother of the deceased submitted an application to the police wherein the petitioner and other co-accused were named. Counsel has

referred to the status report filed by the State from where it is clear that no recovery was effected from the petitioner. He submits that petitioner has been named subsequently and has been framed as an after thought.

Prayer for bail has been opposed by Mr.Amit Aggarwal, counsel for the State. Upon instructions from ASI Jeet Singh, he submits that the petitioner had entered into a conspiracy with two other co-accused to kill both the deceased. He further submits that the trial is pending and out of 30 prosecution witnesses, 14 witnesses including the complainant and mother of the deceased, have already been examined.

Heard.

Considering the fact that since the petitioner is in custody for more than 1½ year, no useful purpose would be served by keeping the petitioner behind the bars any further.

Without commenting anything on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

(SUVIR SEHGAL)
JUDGE

July 01, 2020
savita

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No