

CRM-M-8516 of 2020

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

CRM-M-8516 of 2020
Date of Decision: 05.03.2020

Shobh Ram

...Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present:- Mr. J.P. Jangu, Advocate, for the petitioner.
Mr. Chetan Sharma, AAG, Haryana.

RAMENDRA JAIN, J. (ORAL)

Through this petition under Section 439 Cr.P.C. prayer has been made for grant of regular bail to petitioner – Shobh Ram – in case FIR No.0125 dated 23.03.2018 registered under Sections 364, 302, 201 read with Section 34 IPC and Section 25 of the Arms Act, 1959 at Police Station Kharkhoda, District Sonapat.

Petitioner is facing trial in the aforementioned FIR for committing murder of two persons, namely, Ombir and Ashok.

Learned counsel *inter alia* contends that material witnesses have already been examined, only official witnesses remain. Therefore, there is no threat of tampering with the prosecution evidence by the petitioner. Petitioner has falsely been implicated on the basis of circumstantial evidence, which is a very weak type of evidence. Petitioner is in custody since 25.03.2018. Co-accused of the petitioner, namely,

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Himanshu @ Chootu, Madan and Vikas @ Viki have been granted regular bail by this Court vide orders dated 17.12.2019, 28.01.2020 and 31.01.2020 passed in CRM-M-43863 of 2018, CRM-M-44052 of 2019 and CRM-M-685 of 2020, respectively. Conclusion of trial may take a sufficient long time. No useful purpose would be served by keeping the petitioner in jail any more. Treating the case of the petitioner on the same parity as that of his co-accused, he may also be granted regular bail.

On the other hand, learned State counsel vehemently opposed the grant of regular bail to the petitioner.

Considering overall facts and circumstances, but without expressing any opinion on the merits of the case, the petition is allowed. Treating the case of the petitioner – Shobh Ram – on the same parity as that of his aforesaid co-accused, he (petitioner) is ordered to be released on bail during pendency of trial, if not required in any other case, on his furnishing bail bonds and surety bonds to the satisfaction of Trial Court/Duty Magistrate concerned.

March 05, 2020
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No