

CRM-M-15160 of 2020

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

CRM-M-15160 of 2020
Date of Decision: 10.07.2020

Sanjay

...Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present:- Mr. R.S. Rai, Sr. Advocate, with
Mr. Gautam Dutt, Advocate, for the petitioner.
Mr. Munish Sharma, AAG, Haryana.

RAMENDRA JAIN, J. (ORAL)

Through instant petition under Section 439 Cr.P.C. prayer has been made for grant of regular bail to petitioner – Sanjay – in case arising from FIR No.33 dated 26.02.2015 registered under Sections 147, 148, 149, 384, 302, 120-B, 212 IPC and Section 25 of the Arms Act at Police Station Behal, District Bhiwani.

According to prosecution, on 25.02.2015 co-accused Raj Kumar and his companions shoot Kapil for not fulfilling ransom demand of ₹10.00 lakh raised by Raj Kumar. Kapil sustained 18 firearm injuries. When Rajesh son of Umed Singh protested, assailants also fired upon him. He sustained 5-6 gun shot injuries, as a result of which Rajesh died.

Learned counsel *inter alia* contends that petitioner was not named in the FIR. His name came into picture after seven days of the occurrence in the statement of complainant. Eight co-accused of the

CRM-M-15160 of 2020

petitioner stand convicted vide judgment dated 18.12.2018. No role has been attributed to the petitioner except that he only identified place of hatching conspiracy and the murder. Petitioner is in custody since 24.06.2019. Conclusion of trial may take a sufficient long time. No useful purpose would be served by detaining the petitioner in jail any more.

On the other hand, learned State counsel vehemently opposed the grant of regular bail to the petitioner contending that petitioner remained absconder for more than four years. He was declared proclaimed offender. He is involved in 3-4 more criminal cases. In case, he is granted regular bail there is every likelihood of his absconding.

Considering overall facts and circumstances, but without expressing any opinion on the merits of the case, the petition is allowed. Petitioner – Sanjay – is ordered to be released on bail during pendency of trial, if not required in any other case, on his furnishing two heavy surety bonds and bail bonds to the satisfaction of Trial Court/Duty Magistrate concerned.

July 10, 2020
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No