

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

214

**CRM-M-15436-2020
Decided on : 01.07.2020**

Sushil @ Bhalu

... Petitioner

Versus

State of Haryana

... Respondent

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Mr. KDS Hooda, Advocate for the petitioner (s).

Mr. Chetan Sharma, AAG, Haryana.

(The proceedings have been conducted through
video conferencing, as per instructions.)

G.S. Sandhawalia, J. (Oral)

In the present petition filed under Section 439 Cr.P.C., the petitioner seeks regular bail in FIR No.66 dated 02.03.2020 under Sections 302, 34, 120B, 411 of IPC and Section 25 of Arms Act, 1959 registered at Police Station Civil Lines, Hisar.

Counsel for the petitioner has submitted that the petitioner has been roped in only on account of the fact that the motorcycle used by the main accused Vinod and Sandeep for committing the murder of Dharampal husband of the complainant Sushma, Sarpanch of the village, had been sold by him. There is no allegation as such that the petitioner had participated or was as such responsible for the conspiracy of the murder.

Counsel for the State submits that the motorcycle as such was stolen and was in custody of the petitioner since 2016 and the same had been taken from one Raju and there was no number plate on the same.

Admittedly in the FIR the allegation is against two persons who

had fired the shot at the deceased outside his house and one of the accused was wearing helmet and the other person had a muffled face. In the FIR the other persons were named and the petitioner is not amongst the said persons. The petitioner has been involved only on account of the statements of the accused Vinod and Sandeep, who had been arrested and on account of the fact that they had purchased the motorcycle from the petitioner in February, 2020 and the murder had been committed on 02.03.2020.

In such circumstances, the petitioner who has been in custody since 13.05.2020 is liable to be granted bail. Accordingly, the present petition is allowed. The petitioner be released on bail to the satisfaction of the Illaqua/Duty Magistrate, Hisar.

JULY 01, 2020
Naveen

(G.S. SANDHAWALIA)
JUDGE

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