

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-18809-2020 in/and
CRM-M-19599-2020

Date of Decision: 07.08.2020

Sanjay

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. SK Rana, Advocate for the petitioner.

Ms. Dimple Jain, AAG, Haryana.

Mr. VK Garg, Advocate for the complainant.

RAMENDRA JAIN, J. (ORAL)

CRM-18809-2020

Case has been taken up for hearing through video conferencing due to pandemic Covid-19.

Through this application under Section 482 Cr.P.C., prayer has been made for placing on record order dated 22.07.2020 (Annexure P-4) passed by this Court.

For the reasons explained in the application, the same is allowed and copy of order dated 22.07.2020 (Annexure P-4) filed along with the application is taken on record, subject to all just exceptions. Be tagged at the appropriate place.

CRM-M-19599-2020

Through this petition under Section 439 Cr.P.C.,

petitioner-Sanjay, has prayed for grant of regular bail in case FIR No. 280 dated 01.10.2019 registered under Sections 148, 149, 323, 325, 365, 379B and 506 IPC at Police Station Kheripul, Faridabad.

According to the prosecution, in the evening of 29.09.2019, petitioner along with his accomplice armed with deadly weapons caused injuries to complainant-Tughlak @ Sherkhan and then robbed him for Rs.1900/-, his Aadhar Card and mobile phone. Thereafter, in order to kill the complainant, they dragged him into their car and gave beatings. They took him away to village Deha, where they again gave severe beatings to the complainant. Thereafter, they again put complainant in their vehicle and brought him to village Sherpur Dadar. On the way, they were discussing to kill the complainant and bury him on the bank of Yamuna river.

Learned counsel *inter alia* contends that petitioner was not named in the FIR. No role has been attributed to him. Petitioner is in custody since, 11.12.2019. Conclusion of trial may take long time. No useful purpose would be served by detaining the petitioner in custody. Co-accused of the petitioner, namely; Gulshan @ Gullu, has already been granted the concession of regular bail by this Court vide order dated 22.07.2020 (Annexure P-4) passed in CRM-M-17542-2020. Thus, treating the case of the petitioner on the same parity as that of his co-accused-Gulshan @ Gullu, he may be released on regular bail.

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-Sanjay, 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.

August 07, 2020
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(RAMENDRA JAIN)
JUDGE

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