

**201-A IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-19981 OF 2020

DATE OF DECISION : 09.10.2020

Sumit

...Petitioner

Versus

State of Haryana

...Respondent

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Vikas Gulia, Advocate,
for the petitioner.

Mr. Bhupender Singh, DAG, Haryana.

(Presence marked through video conference).

ARUN MONGA, J. (ORAL)

This is a petition for grant of regular bail in FIR No.95 dated 11.05.2019 under Sections 148/149/307/324/341/506 IPC (Section 302 IPC added later on), registered at Police Station Barauda, District Sonapat.

2. Per FIR, petitioner along with others inflicted injuries to complainant Anil and victim Prem. Injured Prem later succumbed to his injuries.

Learned counsel for the petitioner contends that petitioner has been falsely implicated as no specific injury has been attributed to him. The only recovery from him is danda. He further submits that co-accused Deepak @ Goli, Deepak @ Vicky, Rohit and Amit have already been granted the concession of regular bail by trial Court. He further contends that co-accused Vikash @ Nikku has also been granted bail by co-ordinate Bench of this Court vide order dated 29.06.2020 passed in CRM-M-14439 of 2020. He submits that petitioner has been attributed similar role as the other co-accused, one of whom has been

granted bail by the trial Court while the other by this Court. He thus seeks parity with them.

4. On a query of the Court, learned State counsel does not controvert that the other co-accused who have been granted bail, were attributed with the same role as that of the petitioner herein. He further submits that the co-accused was also carrying a danda and so was the petitioner. Only a danda has been recovered from the petitioner. Whereas, sword which was used as the main weapon to commit the murder, was recovered from another co-accused namely Kuldeep Singh. The injury caused by the sword resulted in the death/murder of the deceased.

6. Having heard learned counsel for the petitioner, as well as learned State counsel, this Court is of the view that no useful purpose would be served by keeping the petitioner in further preventive custody in the present case. Investigation is over. Challan has already been filed. The petitioner is stated to be in custody since 11.07.2019. The trial is not likely to commence or conclude any time soon on account of current pandemic conditions.

7. In the premise, the instant petition is allowed. Petitioner is ordered to be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of trial Court/Illaqa Magistrate/ Duty Magistrate.

OCTOBER 09, 2020
shalini

(ARUN MONGA)
JUDGE

Whether speaking/reasoned :
Whether reportable :

Yes/No
Yes/No