

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

Sr. No.206

CRM-M-20518-2020 (O&M)

Date of decision: 28.10.2020

Nanhu

.....Petitioner

VERSUS

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. R.K. Lathwal, Advocate, for the applicant-petitioner.

Mr. Munish Sharma, AAG, Haryana.

SUDHIR MITTAL, J.(Oral)

CRM-24659 of 2020

This application has been filed for placing on record
Annexure P-4 to Annexure P-7.

Notice of motion.

Mr. Munish Sharma, AAG, Haryana, accepts notice on
behalf of the respondent-State and waives service. He has no objection, in
case, the application is allowed.

Accordingly, the application is allowed. Annexures P-4 to
P-7 are taken on record.

CRM-M-20518-2020

The petitioner seeks regular bail in FIR No.550 dated 20.10.2018, registered at Police Station Gannaur, District Sonapat, Haryana, under Sections 302, 34 IPC (Section 120-B IPC added later on).

Learned counsel for the petitioner submits that the petitioner has been in custody since 31.10.2018. The trial is not likely to be concluded at an early date as only 03 PWs out of a total of 25 PWs have been examined. No direct role has been attributed to the petitioner and similarly situated co-accused, namely, Pankaj and Om Singh have been granted regular bail. Thus, the petitioner may also be granted regular bail.

Learned State counsel concedes that the petitioner has been in custody since 31.10.2018 as well as the fact that only 03 PWs out of a total of 25 PWs have been examined. It is, further, conceded that co-accused, namely, Pankaj and Om Singh having a similar role as the petitioner, have been granted regular bail. He, however, opposes the bail on the ground that a conspiracy was hatched in the house of the petitioner to kill the deceased. Thus, the petitioner is the master mind of the crime.

A perusal of the FIR and the initial statement of the complainant recorded under Section 161 Cr.P.C. shows that no direct role was attributed to the petitioner. No allegation of conspiracy being hatched at his house was also made. It is not disputed that the petitioner has been in custody since 31.10.2018 and that the trial is nowhere near completion. Further, it is also not disputed that similarly situated co-accused, namely, Pankaj and Om Singh have been granted regular bail.

Thus, I deem it appropriate to grant regular bail to the petitioner. Accordingly, the petition is allowed and petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned.

CRM-17778-2020

To be listed on 11.11.2020 for payment of Court fee etc.

(SUDHIR MITTAL)
JUDGE

28.10.2020

Sonia

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No