

CRM-M-20913 of 2020

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

CRM-M-20913 of 2020
Date of Decision: 11.08.2020

Raj Kumar alias Bhola

...Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present:- Mr. R.B. Gupta, Advocate, for the petitioner.
Ms. Dimple Jain, AAG, Haryana.

RAMENDRA JAIN, J. (ORAL)

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

Through this petition under Section 439 Cr.P.C. prayer has been made for grant of regular bail to petitioner – Raj Kumar @ Bhola – in case arising from FIR No.280 dated 01.10.2019 registered under Sections 148, 149, 323, 325, 365, 379-B, 506 IPC at Police Station Kheripul, District 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 ₹1900/-, his Aadhar Card and mobile phone. Thereafter, in order to kill the complainant, they dragged him into their car and gave him beatings. They took him away to village Deha, where they again gave severe beatings to the

CRM-M-20913 of 2020

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 has falsely been implicated in this case. There is delay of two days in lodging the FIR. Petitioner is in custody since, 07.10.2019. Conclusion of trial may take long time. No useful purpose would be served by detaining the petitioner in jail any more. Co-accused of the petitioner, namely, Gulshan @ Gullu has already been granted regular bail by this Court vide order dated 22.07.2020 passed in CRM-M-17542 of 2020. Therefore, treating the case of the petitioner on the same parity, he may also be granted 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-Raj Kumar @ Bhola, is ordered to be released on bail pending trial on the same parity as that of his aforesaid co-accused, 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 11, 2020
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No