

212

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.32699 of 2020

Date of Decision: 28.10.2020

KULDEEP @ BILLU

.....Petitioner

Vs

STATE OF HARYANA

....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Rajesh Goyal, Advocate
for the petitioner.

Ms. Deepshikha Chauhan, Asstt. A.G., Haryana.

RAJ MOHAN SINGH, J.(Oral)

The case has been taken up for hearing through video conferencing.

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.179 dated 03.05.2011, registered under Sections 302/392/34 IPC at Police Station Sadar, Panipat.

Learned counsel for the petitioner submitted that after investigation of the case, an untraced report was submitted on 12.11.2011. The case was reopened only on the statement of PW-5 Dula Ram before whom alleged extra-judicial confession was made by the petitioner. Petitioner was arrested on 31.07.2018. Dula Ram is a close relative of deceased Dalbir.

The involvement of the petitioner on the basis of extra-judicial confession before PW-5 Dula Ram would remain debatable.

The aforesaid factual position of the case with regard to the untraced report dated 12.11.2011 could not be disputed by learned State counsel on instructions from ASI Dilbagh Singh.

The complicity of the petitioner on the basis of alleged extra-judicial confession would remain debatable. Petitioner is in custody since 31.07.2018. Prosecution evidence is still in progress, but the same could not be completed owing to the prevailing situation due to COVID-19 pandemic.

At this stage, without adverting to the merits of the case, I deem it appropriate to enlarge the petitioner on regular bail.

In view of above, petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court/concerned Duty Magistrate.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

(RAJ MOHAN SINGH)
JUDGE

October 28, 2020

Atik

Whether speaking/reasoned

Whether reportable

Yes/No

Yes/No