

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

**CRM-M-33546 of 2020 (O&M)**  
**Date of Decision: 04.11.2020**

Sunny @ Jhota

...Petitioner

Versus

State of Haryana

...Respondents

**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**

Present: Mr. Sunny Bhardwaj, Advocate, for the petitioner.

Mr. Karan Sharma, AAG, Haryana,  
assisted by ASI Jagbir.

*(proceedings conducted through video conferencing)*

**GURVINDER SINGH GILL, J. (Oral)**

1. The petitioner has filed this petition seeking grant of regular bail in a case registered against him vide FIR No.281, dated 22.12.2019, Police Station Sector-6, Bahadurgarh, District Jhajjar, under Section 302 read with 34 IPC.
2. The FIR in question was registered at the instance of Kuldeep wherein it has been alleged that on 18.12.2019, his second elder son Pardeep, aged 17 years, left home alongwith Raju. It is alleged that later on 22.12.2019, he received information to the effect that Pardeep was admitted in PGI, Rohtak having sustained some injuries and has in fact died. Upon receipt of such information, the complainant reached PGI, Rohtak where he saw the dead body of his son. Raju is also stated to be present in the hospital, who disclosed that he had brought Pardeep along with him for work of supply of liquor and that on 16.12.2019, when one of their vehicle was caught in Delhi, then

Akshay @ Bholu and Soni as well as two other friends gave beatings to Pardeep alleging that he had got their vehicle caught. It is further alleged in the FIR that Raju had disclosed that on 17.12.2019, he and Munni Ram had brought Pardeep to Civil Hospital, Bahadurgarh from where he was referred to PGI, Rohtak and that he ultimately succumbed to injuries in PGI. The complainant suspected that Akshay @ Bholu, Soni, Raju and Munni Ram had killed his son.

3. Learned counsel for the petitioner has submitted that he is not named in the FIR and had been nominated as an accused on the basis of disclosure statement allegedly made by Munni Ram. Learned counsel has further submitted that since Munni Ram, who was specifically named in the FIR had already been granted bail, the petitioner also deserves the said concession on parity as well.
4. Opposing the petition, learned State counsel has stated that since the petitioner has been specifically named in the disclosure statement made by co-accused, no case for grant of bail is made out. Learned State counsel has however informed that the petitioner has been behind bars since the last 5 months and that till date no PW has been examined out of cited 27 PWs.
5. I have considered rival submissions addressed before this Court. Keeping in view the fact that the petitioner is not specifically named in the FIR and has been nominated as an accused on the basis of disclosure statement, the veracity and admissibility of which is debatable and also keeping in view the fact that the conclusion of trial is likely to take some time as not even a single PW out of the cited 27 PWs has been examined till date, further detention of the petitioner

will not serve any useful purpose. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

**(GURVINDER SINGH GILL)**  
**JUDGE**

**04.11.2020**

Vimal

Whether speaking/reasoned: **Yes/No**

Whether reportable: **Yes/No**