

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

CRM-M-40674-2019

Date of decision: 28.2.2020

LALIT

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Munish Gupta, Advocate
for the petitioner.

Ms. Aditi Girdhar, AAG, Haryana
assisted by HC Satish Kumar.

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.62 dated 17.3.2018 under Sections 302, 396, 34 & 120-B IPC at Police Station Chandimandir, District Panchkula.
2. The FIR in question was registered at the instance of Gurtej Singh wherein it had been alleged that he along with Vakil had seen a dead body of a young man lying in front of North Park near village Chonki in the bushes and upon closely examining the same he found that the same was of his brother-in-law Parminder Singh (wife's brother). It is further stated therein that the face of dead body was in mutilated condition and there were injury marks on the dead body.
3. Learned counsel for the petitioner has submitted that he is not named in the FIR and has been nominated as an accused on the basis of statement

of co-accused Amarjit Singh. It is further submitted that the matter in any case is based on circumstantial evidence and since the petitioner has suffered incarceration for about 2 years, he deserves the concession of bail.

4. Opposing the petition, learned State counsel submitted that co-accused Amarjit Singh was arrested on 17.3.2018 itself pursuant to recovery of his mobile phone from the spot and that it was Amarjit Singh who disclosed about the involvement of the present petitioner and in these circumstances he does not deserve the concession of bail. It has however been informed that the petitioner has been behind bars since 18.3.2018 and that the petitioner is not involved in any other case. It has however been informed that as on date 3 PWs out of cited 16 PWs have been examined.
5. Having considered rival submissions addressed before this Court and bearing in mind that it is a case based on circumstantial evidence and that the petitioner has been behind bars since last more than 1 year and 11 months and as on date only 3 PWs out of cited 16 PWs have been examined, further detention of the petitioner will not serve any useful purpose as the conclusion of trial is likely to take some time.
6. 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

28.2.2020
Gaurav Sorot

Whether reasoned / speaking?
Whether reportable?

Yes / No
Yes / No

