

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-1417-2021 (O&M)
Date of Decision:-22.7.2021

Chetan ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Bhawesh Chaudhary, Advocate for the petitioner.

Mr. Vishal Kashyap, AAG, Haryana,
assisted by ASI Giriraj.

Mr. Akashdeep Singh, Advocate for the complainant.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. This is the second petition filed on behalf of the petitioner seeking grant of regular bail in respect of a case registered vide FIR No.699 dated 16.9.2018 at Police Station Sadar Bhiwani, District Bhiwani under Sections 302, 201, 120-B and 34 of Indian Penal Code, 1860.
2. In nutshell, the allegations are to the effect that the petitioner in connivance with his co-accused Kavita, Parveen and Harsh (juvenile) had murdered husband of Kavita i.e. Mukesh as the petitioner had illicit relations with Kavita.

3. Learned counsel for the petitioner has submitted that it is a case of blind murder based totally on circumstantial evidence and that there is no eye-witness to the alleged occurrence.
4. Opposing the petition, learned State counsel assisted by learned counsel for the complainant has submitted that the petitioner is the main accused, who had a motive to eliminate Mukesh as the petitioner was having illicit relations with the wife of Mukesh i.e. the co-accused Kavita. Learned State counsel has, however, informed that the petitioner has been behind bars since the last about 2½ years and that as on date only 6 out of cited 28 PWs have been examined. Learned State counsel has further informed that the petitioner is not a previous convict.
5. I have considered rival submissions addressed before this Court.
6. Having regard to the facts and circumstances of the case particularly the fact that the case is based on circumstantial evidence and that conclusion of trial is likely to consume time as till date only 6 out of cited 28 PWs have been examined, 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.

22.7.2021

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No