

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

CRM-M No.1203 of 2021 (O&M)

Date of Decision : 15.01.2021

Sanjeet @ Sonu

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. Ramnish Puri, Advocate
for the Petitioner.

Mr. Anmol Malik, Dy. Advocate General, Haryana
for the Respondent/State.

SUDIP AHLUWALIA, J. (ORAL)

CRM No.559 of 2021

Allowed as prayed for.

CRM-M No.1203 of 2021

The instant Petition has been filed under Section 439 of the Code of Criminal Procedure seeking Regular Bail on behalf of the Petitioner in case FIR No.603, dated 13.11.2017, registered under Section 302 of the Indian Penal Code, 1860 (Sections 120-B & 34 of the IPC added later on) and Section 25 of the Arms Act, at Police Station Kharkhoda, District Sonipat.

2. The Petitioner has remained in detention for 02 years and 11 months now since 16th February, 2018.

3. Perusal of the FIR shows that the Petitioner was not named as an accused in the same. His name does not transpire even in the Supplementary Statement given by the Complainant subsequently on 14th

November, 2017 (Annexure P-2).

4. Ld. Counsel for the State submits that complicity of the Petitioner has transpired from his own Disclosure Statement given by him before the Police after he was arrested in connection with FIR No.31 of 2018 registered at Police Station City Rohtak which pertains to a different district.

5. Clearly the Confessional Statement of an accused before a Police Officer more particularly during investigation of an entirely different case, is inadmissible in evidence. Apart from the same, there is no material so far linking the Petitioner with the occurrence in the present case.

6. Co-accused Anil @ Lila has already been granted Regular Bail by this Court earlier on 18th September, 2020 in CRM-M No.25953 of 2020 (Annexure P-3).

7. In the circumstances, without commenting any further on the merit of the present case as a whole, but considering the long detention undergone by the Petitioner, at this stage his prayer for Regular Bail is allowed and he is ordered to be released on Regular Bail subject to appropriate terms and conditions to the satisfaction of the Ld. Trial Court/ Duty Magistrate concerned.

8. Disposed off.

January 15, 2021

Dpr

(SUDIP AHLUWALIA)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No