

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

204

CRM-M-5442-2021(O&M)

Date of Decision: 29.04.2021

Robin ...Petitioner

Versus

State of Haryana ...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Namit Khurana, Advocate, for the petitioner.

Mr. G.S.Chhina, AAG, Haryana,
assisted by SI Hari Kishan.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered against him vide FIR No.375 dated 30.10.2018, under Sections 302/34 of IPC & 3(2)(v) of SC & ST Act at Police Station Madhuban, District Karnal.
2. The FIR was lodged at the instance of Gautam, wherein he alleged that his brother Pawan Kumar had left home at about 8:00 PM on 29.10.2018. At about 11:00 PM, Vikram who is son of complainant's uncle, informed him that Pawan was lying on a road in an injured condition near Punjab National Bank. Upon receipt of said information, the complainant alongwith his mother reached at the spot where they saw that Pawan Kumar was lying in a pool of blood. Pawan Kumar told the complainant that he has been

inflicted blows with knife by Robin and Rakesh. Although Pawan Kumar was shifted to hospital but he could not survive.

3. Learned counsel for the petitioner has submitted that it is a case of blind murder where there is no evidence worth credence and that the petitioner has falsely been implicated in the instant case. Learned counsel has further submitted that in any case the material witness on behalf of the prosecution i.e. the complainant already stands examined and in these circumstances, the petitioner who has been behind bars for the last about 2 ½ years deserves the concession of bail.
4. Opposing the petition, learned State counsel has submitted that the deceased, immediately before his death had disclosed to the complainant that he had been caused injuries by the present petitioner Robin and by one Rakesh and that in these circumstances, he does not deserve the concession of bail. Learned State counsel has, however, informed that the petitioner as on date has been behind bars since the last about 2 ½ years and that he is not involved in any other case. It has further been informed that as on date 7 PWs out of cited 17 PWs stand examined.
5. I have considered rival submissions addressed before this Court.
6. Having regard to the facts and circumstances of the case especially that it is a case of blind murder and also that the petitioner as on date has been behind bars for a substantial period of about 2 ½ years and the trial is likely to consume time as only 7 PWs out of cited 17 PWs have been examined and while also noticing that the petitioner is not involved in any other case, 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.

29.04.2021

Vimal

**(GURVINDER SINGH GILL)
JUDGE**Whether speaking/reasoned: **Yes/No**Whether reportable: **Yes/No**