

In the High Court of Punjab and Haryana at Chandigarh

CRM-M No. 16333 of 2021

Date of Decision: 27.8.2021

Raj Kumar @ Sattu

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Vikram Singh Narwal, Advocate
for the petitioner.

Mr. Pardeep Prakash Chahar, DAG, Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

The petitioner seeks regular bail in FIR No. 0146 dated 27.10.2019 under Sections 302 IPC and later on added Sections 392 and 201 IPC, registered at Police Station Titram, District Kaithal.

Reply by way of affidavit of Deputy Superintendent of Police (Hqtrs.), Kaithal dated 24.8.2021, filed in the Registry, is taken on record.

Learned counsel for the petitioner submits that it is a blind murder case in which the body of the deceased was found in the room, situated in the fields of the complainant. He further submits that as per the allegation, the petitioner and the deceased were last seen together in a hotel and the footage has been captured in the CCTV camera, installed in the hotel. Learned counsel further submits that the allegation against the petitioner is that he had snatched Rs. 1,000/- and a mobile phone from the deceased, whereas the mobile phone has not been recovered from him. He

further submits that the petitioner is alleged to have given a blow to the deceased with a pipe, which does not bear the fingerprints of the petitioner. There is no evidence found at the place of occurrence to show the involvement of the petitioner in the present case and the petitioner has been in custody since 29.10.2019.

On the other hand, learned State counsel while opposing the prayer made in the present petition, submits that it is a case of last seen evidence and the CCTV footage is duly authenticated by a certificate of 65-B of the Evidence Act, vide which it has been duly verified that the petitioner was seen once entering in the hotel but there is nothing on the record to show the time of death.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 29.10.2019. Admittedly, the petitioner is not involved in any other case. The trial will take time to conclude because of Covid-19 pandemic. No useful purpose would be served by keeping the petitioner behind the bars.

Without commenting anything on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

August 27, 2021
Gurpreet

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No