

In the High Court of Punjab and Haryana at Chandigarh

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**CRM-M-28011-2021 (O & M)
Date of Decision: July 28, 2021**

RAJBIR

.....PETITIONER

VERSUS

STATE OF HARYANA

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr.Inderjit Singh, Advocate
for the petitioner.

Mr. Sumit Jain, Addl. AG, Haryana.

ANUPINDER SINGH GREWAL, J (ORAL)

Case taken up through video conferencing.

The petitioner is seeking regular bail in FIR No.264 dated 21.04.2020, under Sections 302, 201, 120-B read with Section 34 IPC, registered at Police Station Sadar Karnal, District Karnal.

Learned counsel for the petitioner contends that the body of the deceased was decomposed but no DNA test was conducted. There is nothing to suggest that the death was due to homicide. The petitioner was arraigned as an accused by the sister of the deceased merely on the suspicion that the wife of the petitioner and co-accused Guddi, who is her sister-in-law, were in illicit relationship with the deceased. He also contends that the complainant in her deposition before the trial Court as PW-4 did not support the prosecution case qua the involvement of the petitioner. A copy of the statement of the complainant is annexed as Annexure P-4. He further contends that in the FSL

report, no common poison could be detected in the viscera. A copy of the FSL report is annexed as Annexure P-3. The petitioner is not involved in any other criminal case. He also contends that co-accused Kavita alias Mamta has been granted the concession of regular bail by this Court in CRM-M-23680-2021 on 08.07.2021.

Learned State counsel upon instructions from ASI Umesh Kumar states that 03 out of 21 prosecution witnesses have been examined.

In view of the above, especially when the petitioner is in custody for over 01 year and 03 months, complainant has not supported the prosecution case, co-accused has been released on regular bail, he is not involved in any other criminal case, Covid 19 pandemic and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ANUPINDER SINGH GREWAL)
JUDGE

July 28, 2021
A.Kaundal

Whether speaking/ reasoned	:	Yes/No
Whether Reportable	:	Yes/No