

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH****CRM-M-27428-2020 (O&M)****Date of Decision: 11.02.2021**

Babloo

...Petitioner

Versus

State of Haryana

...Respondent

**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**Present: Mr. Vimal Kumar Gupta, Advocate,  
for the petitioner.Mr. Ramesh K. Ambavta, AAG, Haryana,  
assisted by ASI Ram Karan.**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.314 dated 17.11.2018 at Police Station Chandimandir, District Panchkula, under Sections 302, 120-B, 34 IPC and Section 25 of the Arms Act.
2. The allegations in nutshell are that 4 persons i.e. Rajbala and her three grand children, namely, Vishal, Ayush and Aishwarya were found murdered with gun-shot injuries. It is the case of the prosecution that they had been done to death by some other members of the family on account of greed of property.
3. Learned counsel for the petitioner has submitted that he is not related to any member of the family of the deceased and as such cannot be said to be beneficiary in any manner. Learned counsel has further submitted that the case is based on disclosure

statements of co-accused Ram Kumar, Rajinder and Omkar, which can hardly be said to have any evidentiary value. It has further been submitted that in any case the only allegation qua the petitioner is that co-accused Omkar in his disclosure statement stated that the petitioner had supplied a pistol to the accused for an amount of Rs.60,000/-. It has been submitted that there is no other evidence to suggest that the petitioner had joined hands with the remaining accused or had any knowledge about the intention of the co-accused for murdering the deceased.

4. Opposing the petition, learned State counsel has submitted that since the petitioner has played a pivotal role in arranging for the weapon of offence, his complicity in the entire evidence is clearly evident. It has, however, not been disputed that the petitioner is not related to the family of the deceased. The learned State counsel could not even point any specific evidence which could show that the petitioner had knowledge about the intention of his co-accused or would reflect that he had conspired the remaining co-accused. Learned State counsel has informed that the petitioner has been behind bars since the last about 1 year & 8 months and that he is not wanted in any other case.
5. I have considered rival submissions addressed before this Court.
6. Having regard to the fact that the evidence collected by the prosecution basically suggests that it is the petitioner, who had supplied the weapon of offence and at this stage, this Court does not find any concrete evidence to show that the petitioner had also conspired with the remaining co-accused for murdering the

deceased and while noticing that the petitioner as on date has been behind bars since the last about 1 year and 8 months and conclusion of trial is likely to consume time since only 5 out of cited 51 PWs have been examined so far, 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.

**11.02.2021**

Vimal

**(GURVINDER SINGH GILL)  
JUDGE**

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