

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

CRM-M-29247 of 2020 (O&M)
Decided on:- February 23, 2021.

Sandeep Kumar.

.....Petitioner.

Versus

State of Haryana.

.....Respondent.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

Present:- Mr. P.S. Sullar, Advocate for the petitioner.

Ms. Gaganpreet Kaur, A.A.G., Haryana.

HARI PAL VERMA, J. (Oral)

CRM-5110-2021

Documents Annexures P-7 to P-10 are taken on record, subject
to all just exceptions.

CRM stands disposed of.

CRM-M-29247-2020

The petitioner has filed this petition under Section 439 Cr.P.C.
for grant of regular bail in FIR No.63 dated 15.02.2020 under Sections 302
and 450 read with Section 34 IPC registered at Police Station Bhuna, District
Fatehabad.

Learned counsel for the petitioner has argued that the petitioner
is in custody since 27.02.2020 and he is none else than the son of deceased
Prem. Complainant Khushi Ram (PW3) and Radhey Shyam (PW4), who are
brothers of the deceased and Ashok Kumar (PW6), who is cousin brother of
the petitioner have been declared hostile. Similarly, Sudesh alias Sunita

(PW5), who is wife of deceased Prem and mother of the petitioner has also not supported the case of prosecution and was declared hostile. In this manner, there are very bleak chances of conviction of the petitioner.

Learned State counsel, on instruction from SI Krishan Kumar, does not dispute the custody and the fact that PW3 to PW6 have been declared hostile.

I have heard learned counsel for the parties.

Considering the fact that the petitioner is in custody since 27.02.2020 and the prosecution witnesses i.e. PW3 to PW6 have not supported the case of the prosecution, this Court deems it appropriate to admit the petitioner on bail.

Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing adequate bail and surety bonds to the satisfaction of learned trial Court.

It is made clear that the petitioner shall not extend any threat and shall not try to influence any prosecution witness directly or indirectly in any manner.

The observations made hereinabove shall not be construed as an expression of opinion on the merits of the case and the trial Court shall decide the case without being influenced with these observations in any manner.

February 23, 2021

Yag Dutt

Whether speaking/reasoned:

Whether Reportable:

(HARI PAL VERMA)

JUDGE

Yes

No