

227

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

CRM-M-36221-2021 (O&M)

Date of Decision: 23.11.2021

Sandeep @ Lathiya

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Ramnish Puri, Advocate,
for the petitioner.

Mr. Anmol Malik, DAG, Haryana.

SUDIP AHLUWALIA, J. (ORAL)

CRM-27810-2021

Allowed as prayed for, subject to all just exceptions.

CRM-M-36221-2021

This is a petition for regular bail filed on behalf of the petitioner under Section 439 Cr.P.C. in case FIR No.603 dated 13.11.2017, under Section 302 of the IPC (Sections 120-B & 34 of the IPC added later on) and Section 25 of the Arms Act, registered at Police Station Kharkhoda, District Sonapat.

[2]. The petitioner has remained in detention in the present case for more than 3 years and 8 months, since 14.03.2018.

[3]. The petitioner was not named in the original FIR. His complicity had transpired only from the disclosure statement of the co-accused Sanjeet @ Sonu, who has already been granted regular bail by this Court earlier in CRM-M-1203-2021 on 15.01.2021. However, co-accused,

namely, Anil @ Lila was separately granted regular bail by this Court in CRM-M-25953-2020 on 18.09.2020.

[4]. The material available against the petitioner in the present case is altogether inconsequential, since the disclosure statement of a co-accused *per se* is not admissible.

[5]. After completion of investigation, Challan against the petitioner has already been submitted and Charges have also been framed, but only 2 prosecution witness out of the total 47 prosecution witnesses have been examined, which would clearly indicate that the trial is likely to take its own considerable time to complete.

[6]. As such, without commenting any further on the merits of the present case as a whole, but in view of the detention undergone by the petitioner, the prayer of the petitioner for regular bail is allowed and he is ordered to be released on bail subject to appropriate terms and conditions to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.

[7]. Disposed off.

23.11.2021

Bhumika

**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/reasoned: Yes/No

2. Whether reportable: Yes/No