

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

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**CRM-M No. 32998 of 2020
Date of decision :03.09.2021**

Vikram @ Vicky

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Jagmohan Ghumman, Advocate for the petitioner.
Mr. Pardeep Prakash Chahar, DAG, Haryana.
Mr. Aman Priye Jain, Advocate for the complainant.

HARNARESH SINGH GILL, J.

Case is taken up for hearing through video conferencing.

Prayer in this petition is for grant of regular bail in case FIR No. 187 dated 09.11.2019 registered under Section 346 IPC (Sections 302, 201 IPC and Section 3 (1)-33-89, 3-2(5) of SC/ST Act, 1989 added later on) at Police Station Sohna, District Gurugram.

Learned counsel for the petitioner states that the deceased was a working as a Mason and missing since 05.11.2019. The missing report was lodged on 09.11.2019. The challan has been presented and the charges have been framed, that co-accused of the petitioner have already been granted bail by this Court vide order dated 16.09.2020. It has also been pointed out by the learned counsel for the petitioner that alleged stone was recovered after one month. The petitioner is in custody since 21.01.2020.

Per contra, while opposing the prayer for grant of regular bail to the petitioner, learned State counsel has stated that as per the FSL Report dated 03.12.2020, bloodstains could not be detected from recovered stone and the T-shirt of the deceased. The charges have been framed.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 21.01.2020. As per the FSL Report, no bloodstains were found on the recovered stone and the T-shirt of the deceased-Sumera. The prosecution witnesses are yet to be examined. Moreover, co-accused of the petitioner had already been granted regular bail by this Court vide order dated 16.09.2020. No useful purpose would be served by keeping the petitioner behind the bars. Further, keeping in view the prevailing situation of Covid-19 pandemic, the trial is unlikely to conclude any time soon.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

03.09.2021

Rajeev (rvs)

**(HARNARESH SINGH GILL)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No