

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-35662-2020

DATE OF DECISION: 17.11.2021

AMAN

... Petitioner(s)

Versus

STATE OF HARYANA

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. R.K. Girdhwal, Advocate for the petitioner.

Mr. Anant Kataria, AAG, Haryana.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is regular bail in FIR No.324 dated 27.11.2018, under Sections 302, 364, 201, 379-B, 34 IPC, registered at Police Station Bawani Khera, District Bhiwani, Haryana.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR wherein it is stated by the complainant that his father, who was working as salesman in the village wine shop, was missing since the previous night and he came to know that his dead body had been tied to a tree. It is also alleged that upon enquiry, he came to know that his father had been kidnapped by some persons, who had tied his father to a tree to remove the evidence. Learned counsel for the petitioner further contends that the petitioner has been falsely implicated and there is no *prima facie* material which would connect the petitioner with the commission of the offence except recovery of adhaar card of the deceased which is stated to have been effected from the petitioner. There is no motive which is attributed to the petitioner and he has been falsely implicated. He is in custody for over 2 years and 8 months.

Learned State counsel, upon instructions from SI Bhim Singh, contends that the petitioner is involved in several other cases. He further states

that 5 out of 29 prosecution witnesses have been examined. He has filed custody certificate which indicates that the petitioner is in custody for 2 years, 7 months and 18 days.

Heard.

In view of the above, especially when it is a case of circumstantial evidence, the petitioner is in custody for over 2 years and 7 months, the 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 instant 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

17.11.2021

SwarnjitS

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