

BantuPetitioner

Vs.

State of HaryanaRespondent

2) CRM-M-5527-2021

RameshPetitioner

Vs.

State of HaryanaRespondent

CORAM : HON'BLE MR.JUSTICE AMOL RATTAN SINGH

Present: Mr. Atul Lakhanpal, Sr. Advocate for
Mr. Aditya Sanghi, Advocate,
for the petitioner in CRM-M-36334-2020.

Mr.Pardeep Panwar, Advocate,
for the petitioner in CRM-M-5527-2021.

Mr. Neeraj Poswal, AAG, Haryana.

Mr.Sanchit Punia, Advocate, for the complainant.

AMOL RATTAN SINGH, J. (Oral)

Case heard via video conference.

By these petitions, the petitioners seek the concession of 'regular bail' under the provisions of Section 439 Cr.P.C., upon FIR No.297, dated 30.05.2020, having been registered at Police Station Barwala, District Hisar, alleging therein the commission of offences punishable under the provisions of Sections 302/120-B/34 of the IPC and Section 25/54/59 of the Arms Act, 1959.

Finally, an affidavit has been filed on behalf of the respondent State by the SSP, Hisar, dated 15.12.2020, which is ordered to be taken on

record, that not having been done inadvertently on the previous dates of hearing.

Today, upon query learned State counsel, he does not deny that, as per his instructions, all prosecution witnesses have been examined, which even learned counsel for the complainant could not deny.

Learned senior counsel appearing for the petitioner in CRM-M-36334-2020, therefore submits that the allegation against the petitioners being one of conspiracy, and they having been in custody for about 1 year and 5 months now, they may be admitted to bail finally.

Mr. Panwar, learned counsel for the petitioner in CRM-M-5527-2021, reiterates the same.

Learned counsel for the complainant however submits that with the trial almost over, instead of admitting the petitioners to bail, the trial court may be directed to expedite the proceedings.

He has also argued that even as per the reply filed by the SSP, Hisar, there were a large number of calls exchanged between the petitioners and other co-accused, and it being a case of a so called honour killing, they do not deserve to be admitted to bail.

Learned State counsel while reiterating what counsel for the complainant has submitted, however does not deny that the role of petitioners is stated to be that of conspirators, with the 'pellet shots' having been fired by their co-accused Sachin.

That being so, without making any comment on the actual merits of the case, these petitions are allowed, with the petitioners ordered to be admitted to bail, upon them furnishing adequate bail and surety bonds to

the satisfaction of the trial court/CJM/Duty Magistrate concerned.

(A photocopy of this order be placed on the file of the connected case).

September 22, 2021
dharamvir

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned : YES
Whether Reportable : NO