

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

212

CRM-M-39069-2020

DATE OF DECISION: 05.01.2021

RAJENDER

... Petitioner(s)

Versus

STATE OF HARYANA

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Nirmal Singh, Advocate for the petitioner.

Mr. Chetan Sharma, AAG, Haryana.

ANUPINDER SINGH GREWAL, J. (ORAL)

Heard through video conferencing.

The petitioner is seeking regular bail in FIR No.658 dated 27.06.2017, under Sections 302, 34 IPC (Sections 202, 216 IPC and Section 25 of the Arms Act added later on), registered at Police Station Karnal Sadar, District Karnal.

Learned counsel for the petitioner contends that it is a case of blind murder and is based on circumstantial evidence. He further contends that the petitioner has been arraigned as an accused on the basis of suspicion as it is alleged that he was residing at the dera of the deceased. He, however, contends that the complainant, in his deposition before the trial Court, had not supported the prosecution case qua the involvement of the petitioner. A copy of the statement is at Annexure P-4. He also contends that the co-accused namely Nawab Singh, Rohit son of Surender, Vicky, Rohit son of Mange Ram and Aman have been granted regular bail by the orders of the coordinate Benches and this Court in CRM-M-29366-2020 on 30.09.2020, CRM-M-44118-2018 on 01.03.2019, CRM-M-13798-2019 on 03.04.2019, CRM-M-18096-2019 on 16.05.2019 and CRM-M-23810-2019 on 29.05.2019 respectively. The petitioner is in custody for over 3 years and 4 months.

Learned State counsel, upon instructions from ASI Ram Mehar, contends that 13 out of 22 prosecution witnesses have been examined. He further contends that recovery of pistol had been effected from the petitioner. He, however, is not in a position to controvert the statement of the learned counsel for the petitioner that the complainant, in his deposition before the trial Court, had not supported the prosecution case qua the involvement of the petitioner.

Heard through video conferencing.

In view of the above, especially when it is a case of circumstantial evidence, the petitioner is in custody for over 3 years and 4 months, the co-accused have been granted bail, 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

05.01.2021

SwarnjitS

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