

In the High Court of Punjab and Haryana at Chandigarh

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CRM-M-41334-2020 (O & M)
Date of Decision: November 11, 2021

KARAN SINGH @ HABBU

....PETITIONER

VERSUS

STATE OF HARYANA

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr.Sachin Mittal, Advocate for the petitioner.

Mr. Kirpal Singh Thakur, AAG, Haryana.

ANUPINDER SINGH GREWAL, J (ORAL)

Case taken up through video conferencing.

The petitioner is seeking regular bail in FIR No.727 dated 04.11.2017, under Sections 302, 365 and 201 IPC, registered at Police Station Civil Line, District Gurgaon.

Learned counsel for the petitioner contends that the petitioner has been arraigned as an accused merely on suspicion. The body of the deceased was not found. The material prosecution witnesses namely PW-1 Constable Manoj Kumar, PW-2 Sahil (owner of the tea stall) and PW-5 complainant Kuldeep Singh, in their testimony before the trial Court, have not supported the prosecution case *qua* the involvement of the petitioner. The petitioner is in custody for over 3 years and 09 months since his arrest on 02.02.2018. He also contends that similarly situated co-accused namely Rajesh @ Dalo and Amit @ Dhollu have been granted the concession of regular bail by the Coordinate Bench of this Court in CRM-M-40972-2021 on 07.10.2021 and CRM-M-34227-2021 on 14.09.2021 respectively.

Learned State counsel upon instructions from ASI Dharinder Singh states that 12 out of 16 prosecution witnesses have been examined. He, however, is not in a position to controvert the submissions of the learned counsel for the petitioner that the material witnesses have not supported the prosecution case and similarly situated co-accused have been granted the concession of regular bail. He further contends that in view of the serious allegations against the petitioner and recovery has been effected from him, he is not entitled to the concession of regular bail.

Heard.

In view of the above, especially when the petitioner is in custody for over 03 years and 09 months, co-accused have been granted bail, 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 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

November 11, 2021
A.Kaundal

Whether speaking/ reasoned	:	Yes/No
Whether Reportable	:	Yes/No