

CRM-M-46826-2021

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

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Date of decision: 10.12.2021

Manga Singh

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Birinder Singh Khehar, Advocate,
for the petitioner.

Mr. Amit Aggarwal, DAG, Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks regular bail in case bearing FIR No.137 dated 01.07.2020, registered at Police Station Chhappar, District Yamuna Nagar, under Sections 302, 201, 120-B and 34 IPC and Sections 25 and 29 Arms Act, 1959.

Learned counsel for the petitioner contends that the petitioner was neither named in the FIR, got registered by Jaswinder Singh, brother-in-law of the deceased, nor in two supplementary statements dated 01.07.2020 and 13.07.2020, got recorded by Amarjit Singh-brother of the deceased. Still further, the petitioner was not named in the statement of Kuldeep Kaur-wife of the deceased, recorded on 13.07.2020. The learned counsel further submits that the petitioner has been in custody since 16.07.2020, and that the statement of the material witness i.e. complainant has already been recorded. On this premise, the learned counsel prays that

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the petitioner be released on bail.

On the other hand, learned State counsel, while opposing the submissions made by the learned counsel for the petitioner for the grant of bail, contends that the petitioner had used fake SIM card and he had actively participated in the crime by doing a recce.

I have heard the learned counsel for the parties.

The petitioner was not named in the FIR or even in the supplementary statements of Amarjit Singh and Kuldeep Kaur. The petitioner has been in custody since 16.07.2020. The prosecution witnesses are yet to be examined. Trial is unlikely to conclude any time soon. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

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.

10.12.2021

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No