

CRM-M-13527-2022

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

CRM-M-13527-2022

Date of decision: 04.08.2022

Raj Kumar @ R. K.

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Ramnish Puri, Advocate,
for the petitioner.

Mr. Pawan Kumar Jhanda, AAG, Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks regular bail in case FIR No.603 dated 13.11.2017, registered at Police Station Kharkhoda, District Sonipat, under Section 302 IPC, Sections 120-B and 34 IPC (added later on) and Section 25 of the Arms Act, 1959.

Learned counsel for the petitioner contends that the petitioner was neither named in the FIR nor in the supplementary statement of the complainant, recorded on 14.11.2017; that the petitioner was indicted in the present case on the disclosure statement of co-accused, namely, Anil @ Lila, who has since been granted the concession of regular bail, vide order dated 18.09.2020 passed by a Coordinate Bench in CRM-M-25953-2020; that similarly situated co-accused, namely, Sombir, who was also indicted on the disclosure statement of co-accused-Anil @ Lila, and has also other cases registered or pending against him, like the present petitioner, has

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since been released on regular bail by learned Addl. Sessions Judge, Sonipat, vide order dated 09.12.2021, and that co-accused, namely, Sanjeet @ Sonu, Sandeep @ Lathiya and Deepak @ Tinu have also been granted the concession of regular bail by the Coordinate Bench or the trial Court. The petitioner has been in custody since 09.08.2018. On this premise, learned counsel prays that the petitioner be released on regular bail.

Learned State counsel, on the other hand, while opposing the grant of bail to the petitioner, submits that the petitioner alongwith the co-accused had committed the murder of Satbir in a pre-planned manner. He further submits that earlier, the petitioner was declared proclaimed offender on 10.05.2018, but was arrested on 09.08.2018.

I have heard the learned counsel for the parties.

The petitioner was neither named in the FIR nor in the supplementary statement of the complainant, recorded on 14.11.2017. He was indicted in the present case on the disclosure statement of co-accused, namely, Anil @ Lila, who has since been granted the concession of regular bail. As stated above, similarly situated co-accused, namely, Sombir, and other co-accused, namely, Sanjeet @ Sonu, Sandeep @ Lathiya and Deepak @ Tinu have also been granted the concession of regular bail by the Coordinate Bench or the trial Court.

The petitioner has been in custody since 09.08.2018. Out of 47 prosecution witnesses, only 04 witnesses have been examined so far. 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

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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.

04.08.2022

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No