

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

**CRM-M-20830-2022
Date of Decision : 25.08.2022**

Rajpal

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present : Mr. S.K.Verma, Advocate
for the petitioner.

Mr. Naveen Singh Panwar, DAG, Haryana.

JASGURPREET SINGH PURI, J(ORAL)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR bearing No.383 dated 25.08.2021, under Sections 302 and 201 IPC, registered at Police Station Sadar Jind, District Jind.

Learned counsel for the petitioner has submitted that the petitioner is in custody from 27.08.2021 which is almost one year. He further submitted that all the material witnesses have been examined and out of 22 prosecution witnesses, 07 have already been examined which include the relative of the deceased. Learned counsel for the petitioner has submitted that the entire prosecution story is based upon suspicion and one extra judicial confession of the petitioner before his maternal uncle (Mama), who has also been examined. He submitted that there is no eye witness in the present case and the entire prosecution story is based upon the circumstantial evidence. He further submitted that once all the material witnesses have already

considered for the grant of bail.

On the other hand, learned State counsel has submitted that it is correct that the petitioner is in custody from 27.08.2021 which is almost one year and all the material witnesses have already been examined and they have supported the prosecution version. He has opposed the grant of regular bail to the petitioner on the ground that he has committed the murder of his own mother.

I have heard learned counsel for the parties.

The petitioner is in custody for about one year and now all the material witnesses have already been examined and no recovery is to be effected from the petitioner as per learned counsel for the parties and the entire case is based upon suspicion, circumstantial evidence and extra judicial confession of the petitioner before his maternal uncle (Mama). The petitioner is not stated to be involved in any other case.

In view of the circumstances, this Court is of the view that the petitioner deserves the concession of regular bail.

Consequently, the present petition is allowed. The petitioner is ordered to be released on bail on furnishing of bail bonds/surety bonds to the satisfaction of the concerned Chief Judicial Magistrate/Trial Court/Duty Magistrate.

However, anything observed herein above shall have no effect on the merits of the case and is meant for deciding the present petition only.

(JASGURPREET SINGH PURI)
JUDGE

25.08.2022
mamta