

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-40722-2022

Date of Decision: 12.09.2022

Deepak

... Petitioner

VS.

State of Haryana

... Respondent

CORAM: HON'BLE MR.JUSTICE SANDEEP MOUDGIL

Present: Mr. Ashit Malik, Advocate for the petitioner

Mr. Surender Singh, AAG Haryana

Sandeep Moudgil, J. (Oral)

(1) The petitioner has filed petition under Section 439 CrPC seeking regular bail in case FIR No.241 dated 06.06.2020 under Sections 148/149/302 IPC read with Section 34 IPC registered at Police Station Kharkhoda, District Sonapat.

(2) Learned counsel for the petitioner contends that it is a blind murder wherein the petitioner was not initially named and it was only during the course of investigation, that he was arrayed as accused along with Sohit whereas initially 5 persons were named in which Deepak was not named. It is an admitted case that there was an altercation at about 9.30 pm on 06.06.2020 between the deceased Vikas and Rohit along with Sohit.

(3) Notice of motion.

(4) On the asking of the Court, Mr. Surender Singh, AAG Haryana accepts notice on behalf of the respondent.

(5) On the other hand, learned State counsel submits that the stone has been got recovered at the instance of Deepak but was not found to be

blood-stained. However, the deceased suffered 19 injuries as per the MLR report.

(6) Keeping in view the totality of the circumstances and the custody period since the petitioner was admittedly arrested on 07.06.2020 and also the fact that it is a case of blind murder wherein no concrete evidence so far has been brought on record as is evidence from the material available at this stage with the Court and in these circumstances no fruitful purpose would be served by keeping the petitioner behind the bars further since the trial is likely to be take time, this petition is allowed and the petitioner is directed to be released on regular bail on furnishing bail and surety bonds to the satisfaction of the trial Court/Illaqa Magistrate, concerned.

(7) Nothing stated herein shall have any bearing on the merits of the case and the trial court shall proceed in the case as per its merits.

12.09.2022

V.Vishal

(Sandeep Moudgil)
Judge

1. *Whether speaking/reasoned?*
2. *Whether reportable?*

Yes/No
Yes/No