

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

204

**CRM-M-51703-2022
Date of Decision: 16.11.2022**

Bijender

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr.Parminder Singh, Advocate
for the petitioner.

Ms. Dimple Jain, AAG, Haryana.

JAGMOHAN BANSAL, J. (Oral)

Through instant petition under Section 439 of Code of Criminal Code, 1973, the petitioner is seeking bail in FIR No.383 dated 11.03.2012 registered at Police Station City Panipat under Sections 364-A, 302, 201, 120-B, 34 of IPC.

Learned counsel for the petitioner submits that the petitioner was declared proclaimed offender in afore-stated FIR and two persons namely Sonu and Kewal were arrested during investigation. The trial Court convicted both of them under Section 302 IPC and sentenced to imprisonment for life. Both of them preferred an appeal before this Court which stands allowed vide order dated 24.02.2020 (Annexure P-2). The petitioner was arrested on 09.06.2021 i.e. after acquittal of both the co-accused by this Court. No recovery has been effected from the petitioner and Sonu as well as Kewal from whom recovery was effected have already been acquitted.

Learned State counsel submits that challan has already been presented. She further submits that there are 28 witnesses and 04 have already been examined and the next date before the trial Court is 03.01.2023.

An FIR was registered on 11.03.2012 qua death of Ved Parkash in mysterious circumstances. There was no eye witness and on the basis of circumstantial evidence, Sonu and Kewal were arrested who happened to be acquitted by this Court vide order dated 24.02.2022. The petitioner is in custody since 09.06.2021.

In view of above-stated facts, the present petition is allowed and the petitioner is directed to be released on bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned.

If the petitioner or his family members/associates make any attempt to threat/intimidate the witnesses in the present case, the State would be at liberty to move an application for cancellation of bail granted by this order.

(JAGMOHAN BANSAL)
JUDGE

16.11.2022

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Whether speaking/reasoned	Yes/No
<i>Whether Reportable</i>	<i>Yes/No</i>