

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

214

**CRM-M No.18457 of 2022
Date of Decision : 10.1.2023**

Bhavya alias Munnu

..... Petitioner

versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Balraj Gujjar, Advocate, for the petitioner
Ms. Mahima Yashpal, DAG, Haryana

TRIBHUVAN DAHIYA J. (ORAL):

This is a petition under Section 439 Cr.P.C. seeking regular bail to the petitioner Bhavya alias Munnu in case FIR No.55 dated 17.2.2021 under Sections 302, 354-D, 120-B, 34 IPC and Section 25(1)-A of Arms Act, 1959 registered at Police Station Kotwali, District Faridabad.

As per the material on record, the petitioner was named in a disclosure statement of the main accused Parkash. The allegations are that a country made pistol was recovered from Karan Chugh resident of Uttar Pradesh. On the date of the incident that pistol was brought by the petitioner from the house of Karan Chugh, who has already been admitted to regular bail by this Court vide order dated 25.2.2022. The other accused namely Lucky alias Nonu, who was present at site along with the main accused Parkash, has also been granted bail by the trial Court vide order dated 26.12.2022.

Learned State counsel opposes the grant of bail on the ground that as per call records of the petitioner, his location was near the place of incident in question. She has also submitted that the petitioner was a part of conspiracy to commit the murder.

The allegations against the petitioner are based upon circumstantial evidence and yet to be established. His involvement in the case, therefore, is a matter of trial. So far 12 out of 45 witnesses have been examined. The petitioner is in custody since 21.2.2022.

In view of the above and keeping in view the fact that conclusion of the trial will take a long time, this Court is of the view that the petitioner deserves to be released on bail.

Accordingly, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

(TRIBHUVAN DAHIYA)
JUDGE

10.1.2023
Ashwani

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No