

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

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CRM-M-49291-2023

Date of Decision: November 28, 2023

Sunil**.....Petitioner(s)****Vs.****State of Haryana****.....Respondent(s)****CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT**

Present: Mr. Ankit Chahal, Advocate and
Mr. Rahul Singh, Advocate for the petitioner(s).

Ms. Aditi Girdhar, AAG, Haryana.

RAJBIR SEHRAWAT J. (ORAL)

The present petition has been filed by the petitioner for grant of bail pending trial in case FIR No.187 dated 23.03.2018 registered at Police Station Sadar Bahadurgarh, District Jhajjar, under Sections 148, 149, 323, 341 and 506 IPC (Sections 325, 302, 120-B IPC added later on).

2. It is submitted by learned counsel for the petitioner that the case against the petitioner is totally frivolous and concocted one. However, the petitioner is not involved in the case as alleged against him. But even as per the case of the prosecution, there is no specific role attributed to the petitioner qua the deceased and the allegations are general in nature. Even the witnesses which have been examined by the prosecution before the trial Court, levelled no specific allegations against the petitioner qua the act of murdering the deceased. The co-accused with similar allegations have already been released on bail by a Co-ordinate Bench of this Court. The

petitioner is in custody for the last five years. Hence, the petitioner also deserve the concession of released on bail pending trial.

3. On the other hand, learned counsel for the State, on instructions, has submitted that the petitioner is the root cause of the entire dispute and because of him, one person has lost his life. The petitioner has been specifically named by the witnesses. However, it is not disputed that no specific role is attributed to him qua the commission of offence of murder, as such, it is also not disputed that the petitioner is in custody for more than five years and the evidence of the prosecution has not been completed so far. Still further, it is not denied that even the co-accused has also been enlarged on bail by a Co-ordinate Bench of this Court.

4. In view of the above, but without expressing any further opinion on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial subject to his furnishing bail bonds/surety bonds to the satisfaction of the Trial Court/Duty Magistrate, concerned.

(RAJBIR SEHRAWAT)
JUDGE

November 28, 2023
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Whether speaking/reasoned:	Yes/No
Whether reportable:	No