

250 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Neutral Citation No. 2023:PHHC:161292
CRM-M-52000-2023
Date of Decision: December 15, 2023

Javed ...Petitioner

Versus

State of Haryana ...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Shiv Kumar, Advocate for the petitioner.

Mr. Randhir Singh, Addl. A.G., Haryana.

DEEPAK GUPTA, J.(Oral)

By way of present petition filed under Section 439 Cr.P.C., prayer is made for grant of regular bail in case FIR No.111, dated 14.03.2022, under Sections 302 and 34 of IPC (Sections 201, 404, 34 of IPC and Section 61/4/2020 Excise Act, 2020 added later on), registered at Police Station NIT, Faridabad.

As per allegations, dead body of deceased Deepak was found from the house of co-accused Naveen with injury marks on his person. During interrogation, said Naveen suffered disclosure statement (Annexure R-2), as per which on the night intervening 13/14.03.2022, he along with Farukh, Javed (petitioner) and Manjeet had taken Deepak @ Tatu (deceased) to their rented premises, where Farukh had caught hold hands of Deepak @ Tatu and then he (Naveen) alongwith Javed (petitioner) and Manjeet murdered him.

Learned counsel for the petitioner contends that the only incriminating material against the petitioner is the disclosure statement of co-accused Naveen, which is not admissible in evidence. Still further, it is contended that similarly placed co-accused Farukh has already been

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allowed bail by a co-ordinate Bench of this Court vide order dated 22.09.2023 passed in CRM-M-38986-2023 (Annexure P-2).

Learned State counsel could not refute the aforesaid contentions. However, bail is opposed on the ground that petitioner is involved in two other cases.

Refuting the aforesaid contention, learned counsel for the petitioner submits that the petitioner is on bail in both those cases, which is otherwise reflected from custody certificate.

Custody certificate placed on record also reveals that the petitioner is in custody for the last 01 year, 08 months and 21 days.

In view of the aforesaid circumstances, particularly on the basis of parity, but without commenting anything on the merits of the case, petitioner is admitted to bail. He is ordered to be released on bail on his furnishing requisite bail bonds and surety bonds to the satisfaction of learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

Allowed.

December 15, 2023

sarita

(DEEPAK GUPTA)
JUDGE

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