

In The High Court for the States of Punjab and Haryana
At Chandigarh

CRM-M-15918-2024 (O&M)
Date of Decision:- 05.04.2024

Sandeep Alias Monu ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Harkaran Singh, Advocate, for the petitioner.
Mr. Ramender Singh Chauhan, AAG, Haryana.

FIR NO.	DATE	POLICE STATION	OFFENCES
173	25.6.2020	Lakhan Majra, District Rohtak	201, 302 IPC (Section 120-B and 34 added later on)

GURVINDER SINGH GILL, J. (Oral)

1. The instant petition has been filed on behalf of the petitioner seeking grant of regular bail in respect of aforementioned FIR.
2. The FIR in question was lodged at the instance of Rajesh wherein it is alleged that his elder son namely Sandeep was working as a labourer who was having some enmity with Khandu. It is alleged that on 24.6.2020 his son Sandeep along with his friend Sonu had gone for a walk in the evening by the side of canal. On the next morning, he

received news that his son as well as Sonu had been burnt alive by Khandu, Surjit, Pradeep, Monu son of Mahla, Monu son of Krishan and Tola.

3. Learned counsel for the petitioner submits that a false FIR has been lodged without there being any evidence to connect the petitioner with the alleged death of complainant's son. It has been submitted that no specific role is attributed to the petitioner or to anybody else and that since identically situated co-accused namely Pardeep has already been granted bail by this Court vide order dated 3.7.2023 passed in CRM-M-49313-2022, the petitioner also deserves the same concession on ground of parity.
4. Opposing the petition, learned State counsel submits that since the petitioner is specifically named in the FIR and there are specific allegations that two persons had been burnt alive, no case for grant of bail is made out. It has however, been informed that the petitioner as on date has been behind bars since the last about 3 years and 9 months and that 9 out of cited 21 PWs have been examined. It has also been informed that the petitioner otherwise is not involved in any other case.
5. This Court has considered the rival submissions.
6. Without commenting anything as regards the merits of the case but keeping in view the long custody of the petitioner and also the fact that co-accused has already been granted bail who is identically situated and that conclusion of trial is likely to consume time, further detention of the petitioner will not serve any useful purpose. The

petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

05.04.2024

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(GURVINDER SINGH GILL)

JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No