



CRM-M-25716-2024

1

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(331)

CRM-M-25716-2024
Date of Decision: 18.09.2024

Rinku @ Monu

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Ram Pal Verma, Advocate, for the petitioner.

Mr. Manish Dadwal, DAG, Haryana.

Mr. Anshuman Dalal, Advocate, for the complainant.

HARKESH MANUJA, J.(ORAL)

[1] By way of present 2th petition filed under Section 439 Cr.P.C, prayer has been made for grant of regular bail in case FIR No.364 dated 09.10.2021, registered under Sections 302, 379B, 395, 396, 397, 412, 212, 201, 120B and 109 IPC and 25/27/29-54-59 of Arms Act at Police Station Asaudha, District Jhajjar wherein though the petitioner was not named in the FIR but implicated with the allegation of being a co-conspirator in the murder of deceased Bijender along with his other accomplices.

[2] On the other hand, the prayer made herein has been opposed at the instance of learned State counsel as well as counsel representing the complainant while submitting that the recovery of Scorpio car as well as its key were effected from the open plot owned by the petitioner and his residential premises respectively which thus, connects him directly with the offence in hand.

[3] I have heard learned counsel for the parties and gone through the paper book. I find substance in the submissions made on behalf of the

**CRM-M-25716-2024****2**

petitioner.

[4] In the present case, investigation already stands concluded with the filing of *challan* followed by framing of charges. Out of total 46 prosecution witnesses, 3 have been examined so far and thus, the trial is not likely to conclude in near future. Petitioner is already behind the bars for the past almost 3 years and he is admittedly not involved in any other FIR. Moreover, the complainant already stands examined and he has not even named the petitioner and the present being a case of circumstantial evidence, the recovery effected from the petitioner is yet to be established in the trial.

[5] Considering the aforesaid facts, this Court does not find justification to extend the incarceration of the petitioner any further.

[6] In view of the above, but without commenting upon merits of the present petition, the same is allowed. The petitioner is ordered to be released on bail subject to his furnishing adequate bail bonds / surety bonds to the satisfaction of the Trial Court/Illaq Magistrate/Duty Magistrate concerned.

[7] It is made clear that this order may not be construed as an expression of opinion on the merits of the case.

(HARKESH MANUJA)
JUDGE

18.09.2024
anil

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