



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-46512-2024 (O&M)

Date of Decision:21.11.2024

Ravi

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. Narinder Saini, Advocate for the petitioner.

Ms. Dimple Jain, DAG, Haryana.

JASGURPREET SINGH PURI J.(Oral)

1. The present is a second petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita for grant of regular bail to the petitioner in case bearing FIR No.44 dated 15.04.2019, under Sections 302, 120-B, 201 & 34 IPC, registered at Police Station Rohrai, District Rewari. The present is a successive bail petition as earlier was dismissed by this Court vide Annexure P-3 on 08.03.2022.

2. Learned counsel appearing on behalf of the petitioner submitted that the petitioner is in custody from 23.04.2019 which is about 05 years and 07 months and it is a case which is based upon circumstantial evidence as the name of the petitioner was nominated on the basis of the disclosure statement made by another co-accused namely Gopal. While referring to the allegations in the FIR, he submitted that name of the petitioner did not figure in the FIR



and as per the allegations the dead body of an unknown young boy was found hanging with a leather belt and he was having deep injury on his head that was probably due to the injuries inflicted upon him with glass bottle and blood had also oozed out from those injuries. He submitted that the present complaint was lodged by one Krishan Kumar whereby he informed the police with regard to the aforesaid dead-body. He submitted that the other co-accused on the basis of whose disclosure statement, the petitioner has been nominated in the FIR, has already been extended the benefit of regular bail by this Court on 03.09.2024 bearing No.CRM-M-26056-2024. He further submitted that the petitioner is also entitled for grant of regular bail not only on the grounds of parity with the aforementioned co-accused Gopal but also because the petitioner is on a better footing. He also submitted that the petitioner has clean antecedents and is not involved in any other case and considering the long custody of the petitioner which is approximately 05 years and 07 months, he may be granted the concession of regular bail.

3. On the other hand, Ms. Dimple Jain, learned DAG, Haryana, submitted that so far as the custody of the petitioner is concerned, the same is correct. She submitted that out of 28 prosecution witnesses, 19 including the material witnesses have been examined till date. She also submitted that the petitioner is not involved in any other criminal case and the other co-accused namely Gopal has been extended the benefit of regular bail by this Court.

4. I have heard the learned counsel for the parties.

5. Custody of the petitioner has come out to be about 05 years and 07 months . It is a case where the name of the petitioner was nominated on the basis of the disclosure statement of co-accused namely Gopal. As per the



allegations in the FIR, dead body of a young boy was found hanging with a leather belt and as per the learned State counsel the petitioner alongwith other co-accused had conspired to kill the deceased who was found dead and they made the deceased consume excessive liquor, after which he was killed by strangulation.

6. This Court after hearing the learned counsels for the parties, is of the considered view that, considering the long custody of petitioner, clean antecedents of the petitioner and the fact that he has been nominated on the basis of the disclosure statement of other co-accused, namely Gopal, who has already been granted regular bail by this Court, the petitioner also deserves the concession of bail, not only on the ground of parity but also due to the aforementioned long custody.

7. Consequently, the present petition is allowed. The petitioner shall be released on regular bail, if not required in any other case, subject to furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned.

8. However, anything observed hereinabove shall not be treated as an expression of opinion on the merits of the case and is meant for the purpose of deciding the present petition only.

(JASGURPREET SINGH PURI)
JUDGE

21.11.2024
shweta

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