



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-32894-2024

Date of Decision:- 06.11.2024

PARVEEN

....Petitioner

Vs.

STATE OF HARYANA

...Respondent

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Priyavrat Parashar, Advocate for the petitioner.
Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

AMARJOT BHATTI, J.

1. Petitioner has filed instant petition under Section 439 Cr.P.C. for grant of regular bail in FIR No.39 dated 04.02.2019 (Annexure P-1) under Sections 148, 149, 201, 302, 365 read with Section 120-B IPC and Section 25 of Arms Act registered at Police Station Civil Lines, Rohtak, Haryana.
2. As per the facts of the case on 01.02.2019 at about 10 pm ASI Rajesh Kumar during patrolling was informed from control room that some persons in Scorpio vehicle bearing HR-12-B-4376 abducted one boy near Tilak Nagar. On receiving this information he contacted lady namely Anju who along with her husband was passing road when witnessed the said occurrence and gave information to control room telephonically. Facts were verified on reaching the spot. The investigation was carried out and regarding this occurrence present FIR was registered. During the course of investigation, dead body of victim Harish was recovered and offence under Section 302 of IPC was added.

3. Learned counsel for petitioner argued that he is falsely implicated in this case. He had no motive to murder Harish. He is in custody since 10.07.2023 and challan is already presented. Name of present petitioner and other accused came into picture in the disclosure statement of Lokesh @ Kartik. No recovery was effected from him. Earlier he was declared proclaimed offender. Thereafter, he was arrested in this case on 10.07.2023. Even prosecution witnesses namely Anju - PW2, Anil – PW3, Deepak – PW4, Jagdish – PW5 and Ram Chander PW-6 did not support the prosecution case. Their statements are Annexure P-3. Accused Aman was granted regular bail by the Coordinate Bench vide order dated 19.09.2022 (Annexure P-4). Pawan was granted regular bail by learned Additional Sessions Judge, Rohtak vide order dated 29.09.2022 (Annexure P-5). Monu @ Aryan and Naseeb were also granted bail by the Coordinate Bench vide order dated 12.09.2023 (Annexure P-6). Parveen Sabharwal @ Mota and Lokesh @ Gogi are already granted bail vide orders dated 09.01.2024 and 06.12.2024 Annexure P-7 and P-8 respectively. All accused except present petitioner are on bail. Trial in this case is likely to take some time. Therefore, considering the aforesaid facts, he may also be granted regular bail.

4. Bail application is opposed by learned counsel representing State. Bail orders in favour of other accused are confirmed. It is pointed out that present petitioner was declared proclaimed offender and later-on he was arrested. Therefore, he is not entitled to be released on bail.

5. I have considered the arguments and have gone through the record. Trial in this case is pending. Learned counsel for petitioner has

placed on record statements of aforesaid witnesses (Annexure P-3) who did not support the prosecution case during the trial. It cannot be ignored that all other co-accused, as referred above, have been granted regular bail. Present petitioner is behind the bars since 10.07.2023. Trial in this case may take some time. Therefore, without expressing my mind on the merits of the case, regular bail filed by petitioner is allowed. Petitioner Parveen is ordered to be released on bail to the satisfaction of trial Court/Duty Judge, concerned.

6. Pending application (s) if any also stands disposed of.

(AMARJOT BHATTI)
JUDGE

06.11.2024
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Whether speaking/reasoned: Yes/No.
Whether reportable: Yes/No