

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

2024.PHHC.169490



CRM-M No. 34780 of 2024 (O&M)

Date of Decision: 17.12.2024

Deepak

.....Petitioner

versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE

Present : Mr. Raman Chawla, Advocate, for the petitioner.
Mr. Deepak Balyan, Addl. Advocate General, Haryana.
Mr. Ashwani Gaur, Advocate with
Ms. Shivangi Sharma, Advocate, for the complainant.

SHEEL NAGU, CHIEF JUSTICE (Oral)

The petitioner has filed the present petition for grant of regular bail in case FIR No. 129 dated 08.05.2021 under Sections 302 and 201 of the Indian Penal Code registered at Police Station Civil Lines, Sirsa, District Sirsa.

2. Custody certificate of the petitioner filed by State of Haryana is taken on record.

3. As per the custody certificate, the petitioner is in custody since 08.05.2021 and the trial is in progress before the trial Court where 11 out of total 17 enlisted prosecution witnesses have been examined including all main witnesses. It is submitted by learned State counsel that only formal witnesses are left to be examined by the prosecution.

4. The petitioner is in custody for the commission of offence of murder but the case is based on circumstantial evidence in the absence of any direct evidence.

5. Learned State counsel informs that the petitioner had two offences registered against him earlier which ended in acquittal.
6. Considering the fact of long pre-trial detention which is an anathema to the concept of liberty, this Court extends the benefit of regular bail to the petitioner subject to his furnishing bail bonds for a sum of Rs.1,00,000/- with two sureties of the like amount each to the satisfaction of trial Court/Duty Magistrate with stringent conditions.
7. It is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.
8. This order shall also remain subject to the following condition:-
- i) The petitioner shall plant 10 saplings of indigenous plants at a public place and submit proof in that regard by way of photographs before the concerned trial Court where the trial is pending within a period of 15 days and if there is no such intimation submitted or intimation is found to be incorrect, then the State can move an application for cancellation of his bail.
9. The petition stands allowed.

17.12.2024
ravinder

(SHEEL NAGU)
CHIEF JUSTICE

Whetherspeaking/reasoned	√Yes/No
Whetherreportable	Yes/No√