

**(2014) 07 P&H CK 0238**

**High Court Of Punjab And Haryana At Chandigarh**

**Case No:** CRM No. M-21926 of 2014

Sandeep

APPELLANT

Vs

State of Haryana

RESPONDENT

**Date of Decision:** July 15, 2014

**Acts Referred:**

- Penal Code, 1860 (IPC) - Section 201, 302, 34

**Hon'ble Judges:** Mehinder Singh Sullar, J

**Bench:** Single Bench

**Advocate:** Anshumaan Dalal, Advocate for the Appellant; Rajat Mor, Deputy Advocate General, Advocate for the Respondent

**Judgement**

Mehinder Singh Sullar, J.

Petitioners-Sandeep son of Satbir and others, have preferred the instant petition for the grant of regular bail, in a case registered against them along with their other co-accused Vikash, vide FIR No. 303 dated 09.09.2013, for the commission of offences punishable under Sections 302, 201 and 34 IPC, by the police of Police Station Meham, District Rohtak.

2. Notice of the petition was issued to the State.

3. Having heard the learned counsel for the parties, having gone through the record with their valuable assistance and after bestowal of thoughts over the entire matter, to my mind, the present petition for regular bail deserves to be accepted in this context.

4. The pith and substance of the prosecution case, INTER ALIA, is that the petitioners and their other co-accused Vikash, have caused injuries to one unknown person, culminating into his death. Indisputedly, there is no direct or circumstantial evidence on record against the petitioners, except the alleged joint statement of all the accused before Nafe Singh, Chowkidar. What is the evidentiary value and admissibility of such joint statement before a Chowkidar against the petitioners,

INTER ALIA, would be a moot point to be decided during the course of trial by the trial Court. Moreover, Vikash, similarly situated co-accused of the petitioners, has already been granted the concession of regular bail by this Court by means of order dated 16.05.2014, rendered in CRM No. M-16140 of 2014(Annexure P-3). In that eventuality, I see no reason not to extend the same benefit of regular bail to the present petitioners as well under the similar set of circumstances.

5. Be that as it may, the petitioners were arrested on 11.09.2013. Since then they are in judicial custody and no useful purpose would be served to further detain them in jail. There is no history of their previous involvement in any other criminal case. The conclusion of trial will naturally take a long time.

6. In the light of aforesaid reasons, taking into consideration the totality of facts & circumstances, emanating from the record, as discussed here-in-above and without commenting further anything on merits, lest it may prejudice the case of either side during the course of trial, the instant petition for regular bail is hereby accepted. The petitioners are ordered to be released on bail on their furnishing adequate bail bonds and surety bonds to the satisfaction of the trial Court.

Needless to mention that, nothing observed here-in-above, would reflect, in any manner, on merits in the trial of the case, as the same has been so recorded for a limited purpose of deciding the present petition for regular bail.