

Dharamdev Vs. State of Haryana

Dharamdev Vs. State of Haryana

SooperKanoon Citation : sooperkanoon.com/1055031

Court : Punjab and Haryana

Decided On : Aug-13-2013

Appellant : Dharamdev

Respondent : State of Haryana

Judgement :

In the High Court of Punjab and Haryana at ChandigarhCriminal Misc.

not M-12650 of 2013Date of decision:13.8.2013 Dharamdev ...Petitioner v.

State of Haryana ...Respondent ...Coram: Hon'ble Mr.Justice Inderjit Singh

....Present: Mr.B.S.Chahar, Advocate for the petitioner.

Mr.Subhash Godara, Additional Advocate General, Haryana for the respondent-State....Inderjit Singh, J.

The petitioner has filed this petition under Section 439 Cr.P.C.for grant of regular bail in case FIR No.93 dated 9.6.2012 registered at Police Station Bawani Khera, District Bhiwani for the offences under Sections 302 and 506 read with Section 34 IPC.

Learned counsel for the petitioner contended that the Co.accused have already been released on bail having the same role attributed to them.

Learned counsel for the petitioner further contended that it is a blind murder case and general allegations are levelled against the present petitioner along with co-accused and as per prosecution version injury to deceased has been given with 'Lathi' though there is no cogent evidence Parmar Harpal Singh 2013.08.14 10:33
I attest to the accuracy and integrity of this document Chandigarh Cr.

Misc.

not M-12650 of 2013 [2].on record.

On the other hand, learned Additional Advocate General opposed the bail application and stated that keeping in view the serious nature and gravity of allegations against the petitioner, he is not entitled to the benefit of bail.

I have gone through the record.

In the present case though the petitioner has been named in the FIR but it is a blind murder case based on circumstantial evidence.

The allegations against the present petitioner and the other accused are the same and general in nature.

The co-accused Najdik has been released on bail, whose case is on parity with the petitioner.

In this bail order, it is also written that co-accused Suresh, who is also similarly situated, has been released on bail.

Therefore, keeping in view the facts and circumstances of the present case and the fact that the petitioner is in custody since 13.6.2012, only 'Lathi' is stated to have been recovered from him, there is no eye witness to the case and allegations are of general nature and no specific injury is attributed to the present petitioner, I accept this petition and the petitioner be released on bail subject to his furnishing personal bond in the sum of `50,000/- with one surety in the like amount to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Bhiwani.

August 13, 2013.

(Inderjit Singh) Judge *hsp* Parmar Harpal Singh 2013.08.14 10:33 I attest to the accuracy and integrity of this document Chandigarh

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com