

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M No.10390 of 2015
Date of decision: 17th July, 2015

Ramphal @ Bhilda

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

1. Whether Reporters of Local Newspapers may be allowed to see the judgment?
2. Whether to be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Present: Mr. Aman Pal, Advocate
for the petitioner.

Mr. Munish Sharma, Asstt. Advocate General, Haryana
with ASI Ram Kishan.

Mr. Zorawar Singh, Advocate
for the complainant, to assist the State.

FATEH DEEP SINGH, J. (ORAL)

Allegations against the petitioner Ramphal @ Bhilda in this second regular bail application filed under Section 439 Cr.P.C. in case FIR No.145 dated 03.08.2013 registered at Police Station Siwani, District Bhiwani under Sections 148/149/323/506/325/427/302/120-B IPC are that on 03.08.2013 he along with his co-accused/non-applicants namely Sher Singh, Vijay, Kuldeep, Jaipal, Jyani, Anoop, Sukhira, Virender @ Dhinga and Mukesh along with 5/6 other

unidentified persons had assaulted the deceased Mahipal by means of rods and sticks resulting into his death.

Contentions of the petitioner's counsel Mr. Aman Pal, Advocate that no role has been attributed to the petitioner in commission of the offence and that the petitioner is in custody since 27.08.2013 and that the trial is not likely to accomplish in the near future. Though on behalf of the State, bail application is being opposed on the ground that the trial is yet to initiate and that some of the accused have been declared as proclaimed offenders and if allowed bail the petitioner may influence the witnesses.

Adverting to the merits of the case, neither any role is attributed to the petitioner nor any animosity is qua him as the dispute is between Sher Singh and Anoop with whom the deceased has enmity. More so, the petitioner is in custody for almost two years and the trial is not likely to accomplish in the near future, and thus, this Court is of the opinion that no useful purpose would be served by keeping the petitioner behind bars in the present case. Accordingly, he is ordered to be released on regular bail to the satisfaction of the trial Court.

The petition stands disposed off accordingly.

(Fateh Deep Singh)
Judge

July 17, 2015
rps