

**HIGH COURT FOR THE STATES OF PUNJAB & HARYANA AT
CHANDIGARH**

**CRM-M-10963-2015
Date of decision:14.05.2015**

Anand and another

...Petitioners

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

1. To be referred to the Reporters or not ?
2. Whether the judgment should be reported in the Digest ?

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

Mr. Manoj Kumar Sangwan, DAG, Haryana.

RAMESHWAR SINGH MALIK, J. (Oral)

Petitioners seek bail pending trial in FIR No.221 dated 30.3.2014 registered under Sections 148, 149, 323, 324, 325, 326 and 307 of the Indian Penal Code at Police Station Jhajjar.

Learned counsel for the petitioners submits that petitioners are inside the jail for the last more than one year. Trial is not proceeding further because not even one prosecution witness has been examined so far. He further submits that Satbir, co-accused of the petitioners, to whom the injury dangerous to life was attributed, is already on bail because he also suffered some injuries. He concluded by submitting that since the prosecution evidence is yet to start, conclusion of the trial will take pretty long time. He prays for allowing the present petition.

On the other hand, learned counsel for the State, on instructions from ASI Suresh Kumar, Police Station Jhajjar, submits that serious injuries have been caused to the petitoners. Respective weapons of offence have been recovered from the petitoners. He further submits that so far delay in

trial is concerned, every endeavour shall be made to conclude the prosecution evidence at an early date. He prays for dismissal of the petition.

Having heard the learned counsel for the parties at considerable length, after careful perusal of record of the case and giving thoughtful consideration to the rival contentions raised, this Court is of the considered opinion that in the given fact situation of the present case, petitioners have been found entitled for bail pending trial. It is so said because in spite of the fact that FIR is dated 30.3.2014 and a period of one year has already expired, not even one prosecution witness has been examined so far. This was the reason that the case was adjourned for today on 21.4.2015.

Without commenting anything further on the merits of the case, lest it should prejudice the rights of either of the parties, the present petition is allowed. Petitioners are directed to be released on bail pending trial on their furnishing adequate bail bonds/surety bonds to the satisfaction of learned trial Court.

Disposed of, accordingly.

14.05.2015
mks

(RAMESHWAR SINGH MALIK)
JUDGE