

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

CRM-M-15229 of 2015.

Decided on: 20.5.2015.

Jai Parkash @ Jaiki

... Petitioner

Versus

State of Haryana

... Respondent

CORAM : HON'BLE MR. JUSTICE K. C. PURI

Present: Mr. Ram Kumar Saini, Advocate,
for the petitioner.

Mr. Gaurav Bansal, AAG, Haryana.

K.C.PURI.J.(ORAL)

This is third bail application for grant of regular bail. The first bail application was dismissed as withdrawn on 15.1.2014 and the second bail application was dismissed vide order dated 25.7.2014 passed in CRM M-17564 of 2014. It was argued at that time that Rajesh son of the deceased has stated that petitioner was armed with sword and gave injury on the person of deceased Amrit. Considering that accusation, his bail application was declined.

Learned counsel for the petitioner has submitted that Rajesh has been given up being unnecessary witness. He has further contended that Dayanand and Mahinder Singh eye witnesses to the occurrence have been examined but they have not specifically named the petitioner Jai Parkash @ Jaiki as assailants but have identified. They have not stated that the petitioner has given injury to Amrit. He has further submitted that the petitioner is in custody since 30.10.2012 and out of 21 witnesses, only five witnesses have been examined. He has further

contended that co-accused Rohit and Kuldeep, whose names do not appear in the FIR, have been granted bail by this Court vide order dated 11.9.2013 passed in CRM M-24470 of 2013 and the order dated 2.5.2014 passed in CRM M-13333 of 2014. He has also contended that name of the accused petitioner has not been mentioned in the FIR.

Although, this is third bail application but due to changed circumstances mentioned above and keeping in view the long period of custody of the petitioner and the fact that name of the petitioner does not figure in the FIR and that eye witnesses have not specifically named the petitioner nor have given any specific injury and Rajesh who has stated that petitioner gave injury to the deceased has been given up, this Court is of the opinion that it is a fit case to allow concession of bail to the petitioner. Consequently, the petition stands accepted. The petitioner is ordered to be released on bail on his furnishing bail bonds to the satisfaction of trial Court.

20.5.2015.
SN

(K.C.PURI)
JUDGE