

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH.

Cr.M.No.M-16185 of 2015 (O&M)
DATE OF DECISION : 9.7.2015

Shiv Kumar

PETITIONER

VERSUS

The State of Haryana

RESPONDENT

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

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

Present:- Shri R.S.Rai, Senior Advocate with Shri Dilpreet Singh,
Advocate for the petitioner.

Shri Anmol Malik, A.A.G. Haryana.

MAHESH GROVER, J.

This is a petition filed under section 439 Cr.P.C. with a prayer for release of the petitioner on bail in a case registered vide F.I.R. No.242 dated 17.7.2015 under Sections 148,149,212,216,302,307,323,324,506 I.P.C. and Sections 25/57/54/59 of the Arms Act at Police Station Safidon, District Jind. In this case two persons were given fire shot injuries and one of them namely Brij Pal died. A fatal injury is said to have been given by Vinod, while fire arm injury by

one Sunil is on the legs of the complainant.

Learned counsel for the petitioner contends that the petitioner is alleged to be a part of the group and armed with a Lathi with which he gave the solitary blow to one Dilbagh which injury is simple in nature. He further contends that he is in custody since 7.8.2014 and the trial is likely to take some time.

The aforesaid facts are not being controverted by the counsel for the State on instructions from SI Hawa Singh. He, however, states that the incident is serious where pre-meditated attack was carried out resulting in the death of one person.

After hearing the learned counsel for the parties and perusing the record, I am of the opinion that the since the petitioner is in custody since 7.8.2014 and also noticing the fact that he has given a solitary blow to one Dilbag with Lathi which was found to be simple in nature, he would be entitled to the concession of bail, as the trial likely to take some time.

Thus, without commenting on the merits of the case, the petition is allowed and the petitioner is directed to be released on bail to the satisfaction of the trial court.

July 9, 2015
GD

(MAHESH GROVER)
JUDGE