

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

CRM-M No.26645 of 2015

Date of decision: 19th August, 2015

Promod

... 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. N.S. Shekhawat, Advocate
for the petitioner.

Mr. Deepak Sabharwal, Addl. Advocate General, Haryana.

FATEH DEEP SINGH, J. (ORAL)

Allegations against the petitioner Promod in this petition filed under Section 439 Cr.P.C. seeking regular bail in a case registered by way of FIR No.470 dated 18.11.2014 at Police Station Tauru, District Mewat under Sections 148/149/302 IPC, are that on 17.11.2014 he along with his co-accused/non-applicants have assaulted the deceased Aasif brother of the complainant Yusuf. In the version against the petitioner it is alleged that he caught hold of the deceased whereas his co-accused had given the fatal blow by means of a knife.

Contentions of the learned counsel for the petitioner

Mr.N.S. Shekhawat, Advocate that in the initial version put forth by the

complainant, neither the petitioner has been named nor any role has been attributed to him and that the subsequent version is totally contradictory to the first one.

Though the bail application is stoutly opposed by learned State counsel contending that the subsequent version has come up on the very next day and that a specific role has been attributed to the petitioner.

Appreciating these submissions, in view of the sharp contradiction that has reaped in, as in the initial version petitioner has not been named and subsequently the version has been changed as per the own stand of the State, together with the fact that the petitioner is in custody since 18.11.2014 and that the trial will take a long time to conclude, this Court is of the opinion that no useful purpose will 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 trial Court.

The present petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

August 19, 2015
rps