

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

Date of decision:09.09.2015.

Devender

.....Petitioner

v.

State of Haryana

.....Respondent

CORAM: HON'BLE MR.JUSTICE JASWANT SINGH

Present:- Mr.TS Sangha,Senior Advocate assisted by
Mr.JS Lalli,Advocate for the petitioner
Mr.RK Doon,AAG Haryana.

Jaswant Singh,J.(Oral)

Prayer is for grant of regular bail in case FIR no.257 dated
26.8.2014 under Sections 306 IPC (302 IPC added later on), PS Sadar
Ballabgarh,Distt.Faridabad.

As per allegations 12 years old minor son of complainant-
Wahid Khan was given beating by the petitioner for having stolen a
wheel of the water cart of the petitioner. The petitioner is then stated to
have chased said minor son, who jumped into a canal and drowned.

It is contended that not even a case under Section 306 IPC
is made out much less 302 IPC. It is next contended that the petitioner
is in custody since 5.5.2015 and after presentation of the challan even
charges have been framed.

Learned State counsel on instructions from from **SI Younus**

RAJINDER PRASHAD JOSHI
2015.09.09 16:23
I attest to the accuracy and
authenticity of this document
High Court, Chandigarh.

Khan concedes that challan has been presented and charge framed, however, it is stated that keeping in view the gravity of the offence no case for grant of bail is made out.

Without expressing anything on the merits of the case, keeping in view the fact that the challan has been presented and the trial is not likely to be concluded in near future and no useful purpose would be served by keeping the petitioner in custody, the present petition is allowed and petitioner is directed to be released on bail subject to the satisfaction of CJM/Illaqa/Duty Magistrate, Faridabad.

09.09.2015.
joshi

(Jaswant Singh)
Judge