

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

CRM-M-32589-2015 (O&M)

Date of Decision: November 16, 2015

Raghubinder alias Bintu

.....Petitioner

Versus

The State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE NARESH KUMAR SANGHI

Present: Mr.Gautam Dutt, Advocate
for the petitioner.

Mr.Pawan Gaur, DAG, Haryana.

.....

1. *Whether Reporters of local papers 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?*

NARESH KUMAR SANGHI, J.(Oral)

Prayer in this petition, filed under Section 439, Cr.P.C., is for grant of regular bail to the petitioner, Raghubinder alias Bintu, son of Dharampal, Ahir, resident of village Singhwa Khas, Tehsil Hansi, District Hisar, who has been booked for having committed the offences punishable under Sections 120-B, 302, and 341 read with Section 34, IPC, and Section 25 of the Arms Act, in a case arising out of FIR No.156, dated 09.04.2013,

registered at Police Station, Narnaund, District Hisar.

Learned counsel contends that it is the 6th petition seeking grant of regular bail. Earlier three petitions were dismissed as withdrawn while the 4th petition was dismissed on merits vide order dated 30.08.2013 and thereafter 5th petition was dismissed as withdrawn on 12.11.2014. He further contends that the petition vide order dated 30.08.2013 was dismissed primarily on the ground that the case was at the initial stage and the material witnesses were yet to be examined. He further contends that now all the material witnesses, except some official witnesses, have been examined, therefore, further incarceration of the petitioner would not be of any consequence. He has pointed out that the petitioner is behind the bars from 21.04.2013. It has also been submitted that the only role assigned to the petitioner was that he agreed to supply the location of Yudhbir (since deceased) to his co-accused Harish and thereafter Yudhbir was murdered by Harish and his co-accused.

Learned counsel for the State has fairly conceded that the petitioner is in custody since 21.04.2013 and all the prosecution witnesses except official witnesses have been examined. He further fairly concedes that the only role assigned to the petitioner was as disclosed by the learned counsel for the

petitioner.

After hearing the rival contentions of the learned counsel for the parties, the present petition is accepted and the petitioner, who is behind the bars from 21.04.2013, is directed to be released on bail during pendency of the trial of the present case subject to his furnishing bonds in the sum of ₹2,00,000/- (Rupees two lacs only) with two sureties in the like amount to the satisfaction of the learned Chief Judicial Magistrate/ Duty Magistrate, Hisar.

November 16, 2015
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(NARESH KUMAR SANGHI)
JUDGE