

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

**Criminal Misc. No. M-3494 of 2015
Date of Decision: 19.5.2015**

Sandeep @ Lilu

--Petitioner.

Vs.

State of Haryana

--Respondent.

CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present : Mr. Vikramjit Singh, Advocate for
Mr. Parmod Parmar, Advocate
for the petitioner.

RAMESHWAR SINGH MALIK J. (ORAL)

Petitioner seeks bail pending trial in FIR No.128 dated 24.5.2014 under Sections 323/307/506/34 IPC, registered at Police Station Beri, District Jhajjar, Haryana.

Notice to the Advocate General, Haryana.

On the asking of the Court, Mr. Ashish Yadav, Additional A.G. Haryana, accepts notice.

Learned counsel for the petitioner submits that since the application under Section 319 Cr.P.C. has been moved and the same is listed for arguments on 27.5.2015, trial is not likely to be concluded in the near future. He further submits that co-accused of the petitioner, who was attributed stick blow, has already been granted the concession of bail pending trial. He concluded by submitting that the only attribution against the petitioner was that he allegedly caused a fist blow to the injured. He prays for allowing the present petition.

On the other hand, learned counsel for the State, on instructions from ASI Pawan Kumar, Police Station Beri, submits that trial is about to be concluded as only 2 PWs are to be examined. In this view of the matter, he prays for dismissal of the present petition.

Having heard the learned counsel for the parties, after careful perusal of the record of the case and giving thoughtful consideration to the rival contentions raised, this Court is of the considered opinion that the petitioner has been found entitled for the concession of bail pending trial. It is so said, because only a fist blow has been attributed to the petitioner. Co-accused of the petitioner has already been granted the concession of bail pending trial. It is also a matter of record that application moved under Section 319 Cr.P.C., is listed before the learned trial court on 27.5.2015. The two left over PWs are yet to be examined. Thus, learned counsel for the petitioner has been found justified to say that trial is not likely to conclude in the near future.

In view of the above and without commenting upon the quality of the evidence led, lest it should prejudice the rights of either of the parties, present petition is allowed. Petitioner is directed to be released on bail pending trial to the satisfaction of learned trial court.

Disposed of, accordingly.

(RAMESHWAR SINGH MALIK)
JUDGE

19.5.2015
AK Sharma