

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

CRM-M-39466-2015

Date of decision: 15.12.2015

Narayan Singh

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. Gaurav Singla, Advocate
for the petitioner.

Mr. Manoj Kumar Sangwan, DAG, Haryana.

RAMESHWAR SINGH MALIK, J. (ORAL)

Petitioner seeks bail pending trial in FIR No.112 dated 06.10.2014 under Sections 148, 149, 302, 506 IPC, registered at Police Station Tigaon, District Faridabad.

Learned counsel for the petitioner submits that petitioner is a handicapped person upto 75 per cent. He was only named in the FIR but neither any weapon has been alleged against him nor any injury has been attributed to the petitioner. He also submits that since the prosecution evidence is going on, conclusion of trial will take long time. He prays for allowing the present petition.

On the other hand, learned counsel for the State, on instructions from ASI Samey Singh, Police Station Tigaon, Faridabad, submits that since the petitioner was very much member of the unlawful assembly, he is equally liable for the offence in question. He prays for dismissal of the present petition.

After hearing the learned counsel for the parties and going through the record of the case, this Court is of the considered opinion that keeping in view the totality of facts and circumstances of the case noted above, petitioner has been found entitled for bail pending trial. It is so said because no role has been attributed to the petitioner.

Petitioner was only named in the FIR. Neither any weapon has been alleged against him nor any injury has been attributed to the petitioner. Petitioner is having 75 per cent disability of left limb, as per the disability certificate (Annexure P-1), which has gone uncontroverted before this Court. Further, since the prosecution evidence is still going on, conclusion of trial will take time.

In view of the above and without commenting anything further on merits at this stage, lest it should prejudice the case of either side at a later point of time, present petition is allowed. Petitioner is directed to be released on bail pending trial on his furnishing adequate bail bonds/surety bonds to the satisfaction of learned trial Court.

Disposed of, accordingly.

[RAMESHWAR SINGH MALIK]
JUDGE

15.12.2015
vishnu