

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-40824 of 2014

Date of decision: May 08, 2015

Rajender and another

.... Petitioners..

Versus

State of Haryana

.... Respondent..

**CORAM: HON'BLE MR. JUSTICE JASPAL SINGH**

Present: Mr. Gorakh Nath, Advocate,  
for the petitioners.

Mr. Vikas Chopra, DAG, Haryana,  
for respondent-State.

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**Jaspal Singh, J.**

The instant petition has been preferred under Section 439 of the Code of Criminal Procedure (for brevity, 'Code') by Rajender and Suresh-petitioners, seeking their regular bail, in case bearing FIR No. 304, dated 17.12.2006, under Sections 148, 149, 323 and 302 IPC, registered at Police Station Sadar Bahadurgarh, District Jhajjar, Haryana.

2. The contention of learned counsel for petitioners is that petitioners were arrested in this case on December 23, 2006 and for the last more than 8 years and 6 months, they are suffering incarceration and on this score alone, they are entitled to regular bail as disposal of trial is not likely in the near future.

3. Here, it would be pertinent to mention that complainant-

Ram Jiwan preferred an application under Section 319 Cr.P.C. before Id. trial court seeking summoning of Sonu, Satpal, Krishan and Manu as additional accused to stand trial in the above referred FIR along with petitioners vide order dated July 21, 2014. The said order was challenged before this Court vide Criminal Revision No.2584 of 2014, captioned as ***“Sunil and others vs. State of Haryana”***, in which while issuing notice of motion, it was ordered that meanwhile, proceedings may continue but the trial court shall not pass final order.

4. Today, said petition has been dismissed as withdrawn vide separate order of even date. Accordingly, stay with regard to non-passing of final order stood automatically vacated.

5. As far as, trial qua petitioners is concerned, same is at its penultimate. The prosecution as well as defence already stood concluded. Since, disposal of challan is at its fag end and is likely to be disposed of within a short span of time, prayer for regular bail is declined.

4. Accordingly, present petition is dismissed.

**May 08, 2015**  
*sonika*

**(JASPAL SINGH)**  
**JUDGE**