

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

**C.R.M-M No.40943 of 2014(O&M)
Date of Decision : 10.02.2015**

Suresh

..... Petitioner

versus

The State of Haryana

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

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

Mr. Raj Kumar Makkad, D.A.G., 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?

AJAY TEWARI, J. (Oral)

The petitioner seeks grant of regular bail in case FIR No.277 dated 22.07.2011 registered under Sections 148, 149, 323, 324, 302 and 354 IPC at Police Station Sadar Palwal, Haryana.

On the last date the following order was passed:-

“Learned counsel has argued that the petitioner has been in custody for 3½ years and though the prosecution evidence has not yet been concluded and the trial has been stayed in view of the orders passed by this Court in the connected petition pending before this Court which is now

fixed for 10.02.2015, so there is no prospect of early conclusion of this trial.

In my opinion, it would be appropriate if this case is heard along with that case.

Adjourned to 10.02.2015.

To be heard along with CRR No.3988 of 2013.”

In CRR No.3988 of 2013, the following order was passed on 11.11.2014:-

“Notices issued to respondents No. 3, 7, 8, 9, 10, 11 and 12 have been received back unserved on different grounds. As regards respondent No.3 it has been mentioned that he is stated to be a minor and it is reported that a guardian has to be appointed for effecting service on him. As regards respondents No. 7, 8, 9, 10, 11 and 12 it is reported that they all have been residing in Delhi for the last 40 years and no body knows their present address. Learned counsel for the petitioner is directed to take necessary steps in terms of the above mentioned report within three weeks. Thereafter let fresh notices to the said respondents be issued for 10.02.2015.”

As per the report of the registry, no steps were taken by the learned counsel for the petitioner in terms of the said order.

Learned counsel for the petitioner has argued that the petitioner was attributed only one blunt injury to the deceased-Naveen but the same was not the fatal injury.

On a perusal of the PMR, the learned Deputy Advocate General has accepted this factual assertion.

Keeping in view the aforesaid facts and the period of incarceration already suffered by the petitioner, without going into the

merits of the case, I deem it appropriate to release the petitioner on regular bail to the satisfaction of the trial Court.

Ordered accordingly.

Petition stands disposed of in the above terms.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

February 10, 2015

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**(AJAY TEWARI)
JUDGE**