

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-6444 of 2015(O&M)
Date of Decision: 12.3.2015

Yusuf

--Petitioner

Versus

State of Haryana

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Arvind Bansal, Advocate for the petitioner.

Mr. M.S. Sidhu, Addl. A.G., Haryana.

TEJINDER SINGH DHINDSA.J

This order shall dispose of the present petition filed under Section 439 Cr.P.C praying for grant of regular bail to the petitioner in case F.I.R. No.94 dated 14.7.2014 under Sections 148, 323, 324, 452, 506, 326, 302 I.P.C read with section 149 I.P.C registered at Police Station, Guhla, District Kaithal.

Learned counsel for the parties have been heard.

The deceased in the present case is Ram Mehar. As per prosecution version, alleged occurrence is stated to have taken place on 13.7.2014 and co-accused Mukha Ram and Maya Devi are stated to have been armed with *gandasis*. As per M.L.R of deceased Ram Mehar, he is stated to have died of injuries caused by a sharp weapon. In so far as the present petitioner Yusuf is concerned, the attribution made by the complainant Sukhwinder Singh is that he was having a *lathi* in his hand and had given blow on the right hand above elbow upon the complainant himself. Even as per version of the prosecution, the present petitioner has not inflicted any injury to deceased Ram Mehar.

Investigation in the case having been completed, challan was presented on 18.9.2014 and the trial is stated to be at the initial stage as none of the prosecution witnesses has been examined till date. The petitioner has been in custody since 3.7.2014.

Keeping in view the length of incarceration already suffered by the petitioner as also his role attributed as per complainant in the alleged occurrence and without making any observations on merits of the case, present petition is allowed.

Petitioner be enlarged on bail subject to satisfaction of C.J.M.,
Kaithal.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

March 12, 2015
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