

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

**Criminal Misc. No. M-6793 of 2015
Date of Decision:-06.5.2015**

Kundan Ram

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

1. *Whether reporters of local newspapers may be allowed to see judgment?*
2. *To be referred to reporters or not?*
3. *Whether the judgment should be reported in the Digest?*

Present:- Mr. Siddhartha Yadav, Advocate
for the petitioner.

Ms. Neelam Kashyap, Deputy A.G., Haryana.

HARI PAL VERMA J.

Prayer in this petition is for grant of concession of regular bail to the petitioner namely, Kundan Ram in case FIR No.231 dated 30.5.2012, under Sections 148, 302, 323, 324 and 326 IPC read with Section 149 IPC, registered at Police Station City, Thanesar, District Kurukshetra.

Learned counsel for the petitioner submits that the petitioner has been falsely involved in this case and there is no injury attributed to him. He further submits that there is contradiction in the statement of witness, namely, Kalu son of Shri Om Parkash (PW8) wherein it is stated that *"It is also correct that when my mother Salochna tried to rescue us, Kundan accused had given a fist and slap blows to her"*. He submits that

the petitioner is in custody since 10.6.2012 and as such he is in custody for the last about 2 years and 11 months. Therefore, considering the fact that the trial will take long time, he be released on regular bail.

Learned counsel for the petitioner relies upon **Raj Kumar @ Sanchuri vs. State of Haryana 2014(1) Cri.CC 836** to contend that where petitioner has only been named in the supplementary statement of complainant and the petitioner was empty handed at the time of occurrence and has been attributed fist blows on the peerson of complainant and his wife, the petitioner is entitled for bail.

On the other hand, learned State counsel has submitted that as against the total 23 prosecution witnesses cited by the prosecution, 21 have already been examined and the case is now fixed for 18.5.2015 and the trial is likely to be concluded very shortly.

Considering the fact that the trial is going to be concluded in the near future, I find no ground to grant the concession of regular bail to the petitioner at this stage. Resultantly, the present petition is dismissed.

However, nothing stated above be construed as an expression of opinion on the merits of the case and shall not affect the pending trial in any manner.

May 06, 2015
Vijay Asija

(HARI PAL VERMA)
JUDGE