

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

CRM-M-13130-2016 (O&M)
Date of decision : 27.07.2016

Kuldeep

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Anjum Ahmed, Advocate,
for Mr. Onkar Singh Walia, Advocate for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana,
assisted by ASI Subhash Chander.

JITENDRA CHAUHAN, J. (Oral)

The instant petition has been preferred under Section 439 Cr.P.C. seeking regular bail in case FIR No.67 dated 16.03.2015, registered under Sections 323, 325, 341, 506 and 304 (added subsequently) read with Section 34 of the Indian Penal Code, at P.S. Bawani Khera, District Bhiwani.

Learned counsel contends that no specific injury has been attributed to the petitioner. As per the FIR, the petitioner has allegedly given a stick blow. He further states that the petitioner is at par with co-accused Gurbachan Singh @ Pammi, who has been granted regular by Coordinate Bench in CRM-M-42270-2015. The death, in fact, occurred due to medical negligence. The petitioner is in custody since 01.05.2015. The incident took place on 15.03.2015 at about 1.00 p.m., whereas, the FIR

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came to be registered on 16.03.2015 at about 6.10 p.m.

Learned State counsel, on instructions, states that the challan stands presented, charges framed and out of twenty seven prosecution witnesses, eight have already been examined.

Heard.

The petitioner is in custody since 01.05.2015. The similarly situated co-accused, Gurbachan Singh @ Pammi has been granted the concession of bail by this Court. Out of twenty seven witnesses, only nine have been examined so far, therefore, it can safely be inferred that the trial is not likely to be concluded in the near future.

Keeping in view the totality of the circumstances, without advertng to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, on his furnishing bail bonds and surety bonds, to the satisfaction of the trial Court.

27.07.2016
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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No