

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

**CRM-M No. 16172 of 2016(O&M)
Date of Decision : 21.07.2016**

Kulbir

.....Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Rajesh Garg, Sr. Advocate
with Mr. Jagdeep Singh, Advocate for the petitioner.

Mr.Sandeep Vashisht, DAG, Haryana.

Mr.Ram Niwas Kush, Advocate for the complainant.

- i. Whether Reporters of local papers may be allowed to see the judgment?
- ii. To be referred to the Reporters or not?
- iii. Whether the judgment should be reported in the Digest?

AJAY TEWARI, J. (Oral)

This is a petition for the grant of regular bail in case bearing
FIR No. 168 dated 08.05.2015, under Sections 302, 307, 323, 324, 452, 506,
34 IPC registered at Police Station Barwala, District Hissar.

Learned senior counsel has argued that the petitioner, who was
armed with a Lathi, is in custody for more than one year and the accused
who is attributed the fatal injury is in custody. Moreover as a consequence

of an application under Section 319 Cr.P.C. two other persons have now been summoned as accused and, therefore, there will be a de novo trial. Learned DAG, on instructions from ASI Varinder, and learned counsel for the complainant have accepted these factual assertions.

Without commenting anything on the merits of the case and keeping in view the period of custody, I do not deem it appropriate to deny the concession of bail to the present petitioner.

Bail to the satisfaction of the trial Court.

Petition stands disposed of.

Since the main case has been decided, the Criminal Misc.Application, if any also stands disposed of.

**(AJAY TEWARI)
JUDGE**

July 21, 2016
sunita