

CRM-M-16950-2016

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Anuradha
2016.08.30 10:08
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**225 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-16950-2016

Date of decision : 29.08.2016

PARDEEP KUMAR & ANOTHER

..... PETITIONERS

VERSUS

STATE OF HARYANA

..... RESPONDENT

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Keshav Pratap Singh, Advocate
for the petitioners.

Mr. Satish Saini, DAG, Haryana

AJAY TEWARI, J. (Oral)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioners in case F.I.R. No.221 dated 13.12.2015 registered under Sections 147, 148, 149, 323, 302, 452, 506 IPC at Police Station-Ateli, District Mohindergarh.

On 23.07.2016, the following order was passed:

"It has inter alia been argued by learned counsel for the petitioner that though the petitioners were allegedly armed with lathi and danda but no specific injury has been attributed to them on the person of deceased, Puran Singh. The main accused is stated to be Rattan Singh.

On asking of the Court, State counsel informs that Hemant Kumar, complainant who was injured at the hands of petitioners, has not yet been examined. Next date of hearing before the trial Court is stated to be 29.07.2016.

In the interest of justice, adjourned to 29.08.2016 expecting that the material prosecution witnesses would be examined by the next date of hearing."

Learned counsel for the petitioners states that till date the complainant has not been examined and the main accused Rattan Singh is in custody and the petitioners are in custody for more than 6 months.

Learned DAG, Haryana on instructions from ASI Sushil Kumar has accepted these factual assertions.

In the circumstances, without commenting on the merits of the case

and keeping in view the period of custody, I deem it appropriate to release the

petitioners on regular bail.

Bail to the satisfaction of the trial Court/Duty Magistrate.

Petition stands allowed.

August 29, 2016

anuradha

(AJAY TEWARI)

JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No