

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

(211)

CRM-M-24140-2015 (O&M)

Decided on: April 29, 2016.

Ramesh

.... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. L.S. Sandhu, Advocate, for the petitioner.

Mr. C.S. Bakhshi, Addl. A.G., Haryana.

M.M.S. BEDI, J (ORAL)

The petitioner has been in custody for the last four years and two months in a case registered at the instance of Surender Kumar alleging that deceased Mewa Singh was fired at by Suresh. So far as the petitioner is concerned, he has attributed a 'lalkara' exhorting the main accused to fire a shot at Mewa Singh saying that Mewa Singh who did not provide them cylinder, should be shot dead. Another accused Suresh was allegedly caught hold on the spot whereas Nihal Singh another accused accompanying the petitioner and main accused Suresh managed to escape.

The petitioner had approached this Court on earlier occasion and his application was disposed of vide order dated 07.01.2015 with an observation that in case the trial is not concluded within a period of six months, he will be entitled to approach this Court again.

On the instructions of ASI Amrit Singh, learned State counsel informs that no doubt the petitioner has been in custody w.e.f 08.02.2012 but only three witnesses out of eighteen, have been examined.

In view of the period of detention suffered by the petitioner and nature of the allegations against him, taking into consideration the pace of trial and considering the right of liberty of the petitioner under Article 227 of the Constitution of India for expeditious disposal of the trial, I deem it appropriate to grant concession of bail to the petitioner.

Petition is allowed. Petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the trial Court subject to the condition that he will not make any attempt to tamper with the evidence by threatening the witnesses in any manner or otherwise.

(M.M.S. BEDI)
JUDGE

April 29, 2016
harsha