

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

CRM No. M-29824 of 2016

Date of decision:- September 27, 2016

Randhir

.....Petitioner..

Vs.

State of Haryana

....Respondent..

CORAM:- HON'BLE MR. JUSTICE JASPAL SINGH

Present:- Mr. Manoj K. Tanwar, Advocate,
for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

JASPAL SINGH, J. (Oral)

By virtue of instant petition preferred under Section 439 of the Code of Criminal Procedure, Randhir-petitioner has sought regular bail, in case FIR No. 41, dated 17.04.2015, under Sections 148, 149, 323, 324, 326, 506, 212, 216, 201, 302 IPC and Section 25 of the Arms Act, Police Station Dhand, District Kaithal, during the pendency of trial.

2. At the very outset of the arguments, it has emerged that neither the name nor any role of the petitioner is reflected in the FIR. However, he has nominated as one of the accused, on the basis of supplementary statement made by the complainant-Anup. Even, as per the supplementary statement, the role attributed to him is that he while armed with DATTAR, dealt its blow on the body of complainant as well as on the body of

deceased but no specific injury has been ascribed to him. It is not the case of the prosecution that the petitioner is/was not known to the complainant or to the alleged eye-witness(es). Even otherwise, the complainant as well as the eye-witnesses have already been examined and there is nothing to suggest that, in case, he is granted the concession of bail, he will win over the witnesses. Further, the petitioner is suffering incarceration since the date of his arrest i.e. 14.06.2015. The conclusion of trial would also take sufficient time.

3. Taking into consideration all the aforesaid aspects of this case but without expressing any opinion on the merits of the case, petition is allowed and petitioner is ordered to be released on bail, during pendency of trial, at the satisfaction of trial court/Duty Magistrate.

September 27, 2016
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reasonable: Yes/No