

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

CRM-M-30505 of 2016 (O&M)

Date of decision : 05.09.2016

Joginder @ Zunna

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: None for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana
assisted by ASI Devender

JITENDRA CHAUHAN, J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure (for short, 'the Cr.P.C.') seeking regular bail in FIR No.328 dated 26.05.2015, registered under Sections 302 and 201 of the Indian Penal Code (for short 'the IPC') read with Section 34 IPC, at Police Station Palwal City.

As per the averments made in the petition, the entire case is based on the Last Seen theory. The petitioner has been nominated in the present FIR on the basis of disclosure statement of co-accused, Bhola.

On the other hand, the learned State counsel submits that the petitioner gave a danda blow on the head of the deceased and recovery of the mobile phone of the deceased was effected from the petitioner. He further states that all the prosecution witnesses stand examined and the case

is fixed for recording the statement of the accused under Section 313 Cr.P.C. on 13.09.2016.

I have heard the learned State counsel and carefully perused the entire file.

Considering the fact that a specific role is attributed to the petitioner and the trial is at the fag end, this Court finds no ground to grant the concession of bail at this stage.

Dismissed.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

05.09.2016

ashok

**(JITENDRA CHAUHAN)
JUDGE**

Whether speaking/reasoned: Yes / No

Whether reportable: Yes / No