

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

CRM-M-32128-2016 (O&M)

Date of decision : 20.10.2016

Naresh Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Rahul Rathore, Advocate,
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana,
assisted by EASI Gurdayal Singh.

JITENDRA CHAUHAN, J.

The petitioner seeks concession of regular bail under Section 439 of the Code of Criminal Procedure, in FIR No.687 dated 28.11.2015, registered under Sections 307, 323 and 302 read with Section 34 of the Indian Penal Code , at P.S. Assandh, Distt. Karnal.

It is contended that in fact, it is a case of accidental death. To support his assertion, learned counsel refers to the claim petition filed on behalf of Sheela Devi, the wife and other LRs of deceased, Chand Singh. A true copy of the claim petition is taken on record as Mark 'A'.

On the other hand, learned State counsel, on instructions, states that the petitioner has been specifically named in the FIR. He further informs that out of fourteen prosecution witnesses, eight have already been examined.

ATUL SETHI
2016.10.20 18:00
I attest to the accuracy and
authenticity of this document
Chandigarh

Heard.

There is a specific assertion in the claim petition that Chand Singh died due to vehicular accident. The petitioner is in custody since 30.11.2015. He is not involved in any other FIR. Out of fourteen prosecution witnesses, only eight have been examined so far, therefore, it can safely be inferred that the trial is not likely to be concluded in the near future.

In view of the above, without adverting to the merits of the case, the instant petition is allowed. The petitioner be admitted to bail during the pendency of the trial, subject to his furnishing bail bonds and surety bonds, to the satisfaction of the trial Court/Chief Judicial Magistrate/Illaq Magistrate concerned.

However, nothing noticed hereinabove shall be construed as an expression of opinion of this Court, on the merits of the case.

20.10.2016

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned : Yes No

Whether Reportable : Yes No