

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

**CRM-M No.3501 of 2016 (O&M)
Date of Decision: 16.05.2016**

Jitender @ Jinder

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Jatin Khullar, Advocate for the petitioner.

Mr. Yashwinder Singh, Deputy Advocate General, Haryana
for the respondent/State assisted by S.I. Brahm Dutt.

JASWANT SINGH, J. (Oral)

Present petition is for grant of regular bail under Section 439 Cr.P.C. on behalf of the petitioner/accused-Jitender @ Jinder in case FIR No.84 dated 23.06.2015, under Sections 148, 323, 506, 307 read with Section 149 of the Indian Penal Code and Section 25 of the Arms Act, registered with Police Station Saha, District Ambala.

As per the allegations levelled by the injured/complainant-Manjinder Singh, the petitioner/accused Jitender @ Jinder along with co-accused/non-applicants Gurdeep Singh @ Billa, Mandeep Singh and Ankit Rana have launched an attack on him and his friend-Kamal. The injured/complainant suffered four injuries. The petitioner/-accused Jitender @ Jinder is alleged to have inflicted a *Sword* blow on the frontal region of the head of the complainant; co-accused Mandeep Singh is attributed a *Gandasi* blow on the left leg and co-accused-Gurdeep Singh @ Billa is alleged to have fired shots with an intention to kill the complainant.

It is contended that although the petitioner/accused is attributed a *Sword* blow but as per the MLR and opinion of the doctor concerned, the injury on the head is from blunt weapon, therefore, belying the eye-witness account.

The petitioner is stated to be in custody since 19.08.2015 and evidence of 12 cited prosecution witnesses is yet to commence.

Learned Counsel for the petitioner further submits that co-accused/non-applicants Mandeep Singh and Ankit Rana have since been enlarged on bail. He further submits that the petitioner is not involved in any other case.

Learned State Counsel, assisted by S.I. Brahm Dutt, does not refute the aforesaid factual situation.

Without commenting on the merits of the case, keeping in view the parity of treatment, custody period, role attributed, non-involvement of the petitioner in any other case and the fact that trial is not likely to be concluded in near future, this Court finds that petitioner/accused deserves the concession of regular bail and as such he is ordered to be released on bail to the satisfaction of CJM/Duty Magistrate concerned.

Disposed of.

May 16, 2016
Gagan

(JASWANT SINGH)
JUDGE