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

**CRM-M-35503 of 2016**

**Date of decision: November 29, 2016**

Shamsher

.....Petitioner

Versus

State of Haryana

.....Respondent

**CORAM: HON'BLE MR. JUSTICE A.B. CHAUDHARI**

**Present:** Mr. Vikram Singh, Advocate for the petitioner.

Mr. A.S. Yadav, AAG Haryana.

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**A.B. CHAUDHARI, J (Oral)**

Heard learned counsel for the rival parties.

In FIR No.544 dated 20.08.2015, under Sections 302, 34 of Indian Penal Code, 1860, registered at Police Station Sadar Rohtak, District Rohtak, petitioner was arrested on 20.08.2015 and is in Jail since then. Challan has been filed.

Learned counsel for the parties are *ad idem* that after the commencement of trial, at this stage, an application under Section 319 Cr. P.C. has been made. Obviously, the trial is bound to be delayed.

In that view of the matter, looking to the date of arrest of the petitioner and particularly after hearing the nature of incident that took place and the fact that no weapon was at all used and further fact that the deceased had expired due to cardiac arrest, I allow this petition.

Accordingly, this petition is allowed. Petitioner be released on bail subject to the satisfaction of the learned Chief Judicial Magistrate/Duty Magistrate concerned. Petitioner shall not tamper with the prosecution evidence, threaten or exercise any influence on the prosecution witnesses.

**(A.B. CHAUDHARI)**  
**JUDGE**

**November 29, 2016**

mahavir

Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No