

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

CRM No.M-36018 of 2016 (O&M)

Date of decision: December 2, 2016

Jagbir

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Jitender Dhanda, Advocate
for the petitioner.

Mr. Vikramjit Singh, Addl. A.G., Haryana,
for the respondent(s)-State.

INDERJIT SINGH, J.

Petitioner-Jagbir has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.181 dated 20.05.2016, registered at Police Station Narnaund, District Hisar, under Sections 302, 323, 325 and 506 of Indian Penal Code.

Notice of motion has been issued in this case.

Mr. Vikramjit Singh, Addl. Advocate General, Haryana, has put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

From the record, I find that the present FIR was registered on the statement of complainant Rajmal (since deceased). As per the FIR, present petitioner-Jagbir gave a *lathi* blow on the hip of the complainant-Rajmal (since deceased). The occurrence took place on 08.05.2016. The

statement of the complainant was recorded on 11.05.2016 and the

complainant died on 20.05.2016 and then the present FIR was registered in this case. As per the opinion of the doctor, the cause of death in this case is due to 'cardio pulmonary arrest'. The present petitioner is in custody since 22.05.2016. The challan in this case has already been presented and the charges have already been framed by the learned trial Court. The petitioner has only to face the trial. He is not required for any investigation or interrogation purposes as he is in judicial custody. The trial of the case will take long time. No useful purpose will be served by keeping the petitioner in custody till the final disposal of the case.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing personal bonds in the sum of Rs.50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

December 2, 2016

rajesh.k.khurana

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	:	Yes
Whether Reportable	:	No