

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

**CRM-M No. 4033 of 2016 (O&M)
Date of Decision: 11.02.2016**

Jagjit Singh

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Kartar Singh, Advocate
for the petitioner.

Mr. Satish Saini, DAG, Haryana
for the respondent/State assisted by ASI Virender Singh.

Mr. Ashwani Verma, Advocate
for the complainant.

JASWANT SINGH, J. (ORAL)

Prayer is for grant of regular bail on behalf of the accused-petitioner in case FIR No. 89, dated 12.02.2015, for offences punishable under Sections 302, 323, 34 of the Indian Penal Code (now converted into Sections 279, 304-A, 307 of the Indian Penal Code and Section 304-II, Indian Penal Code added later on), registered at Police Station Sadar Fatehabad, District Fatehabad.

As per the charge-sheet, the petitioner/accused has deliberately banged his motorcycle against the motorcycle of Kewal Singh and intentionally tried to kill him. In the process, his pillion rider Gurpal Singh suffered injuries due to fall of the motorcycle leading to his death.

It is contended that in the said occurrence even the petitioner had suffered injuries on his face and leg and therefore, it cannot be countenanced that there was intention of the petitioner to kill

the complainant by banging the motorcycle or causing of death of his own pillion rider. That apart, the petitioner is stated to be in custody since 24.09.2015 and after framing of charge, the evidence of twenty-six prosecution witnesses is yet to commence.

Learned State Counsel, assisted by ASI Virender Singh does not refute the aforesaid factual position.

Without commenting on the merits of the case, keeping in view the facts noticed above and custody period of the petitioner, no useful purpose would be served by keeping the petitioner/accused in custody since the trial is not likely to be concluded in near future, the present petition is allowed and the petitioner is ordered to be released on bail subject to satisfaction of Chief Judicial Magistrate/Duty Magistrate, Fatehabad.

February 11, 2016

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**(JASWANT SINGH)
JUDGE**