

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

CRM No.M-42045 of 2015 (O&M)

Date of Decision: 27.02.2016

Sher Singh & another

... Petitioners

Versus

State of Haryana

... Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. S.S. Sahu, Advocate for the petitioners.
Mr. Vivek Saini, DAG, Haryana.
Mr. Aditya Sanghi, Advocate for the complainant.

....

TEJINDER SINGH DHINDSA.J.

Counsel for the petitioner at the very outset makes a statement that he is not pressing the instant petition filed under Section 439 Cr.P.C. seeking benefit of regular bail pending trial in case FIR No.386 dated 30.06.2015, under Sections 147/148/149/323/341/307/379/325 IPC, registered at Police Station Ratia, District Fatehabad insofar as Sahib Ram, petitioner No.2 is concerned.

Accordingly, the present petition qua Sahib Ram S/o Chhotu Ram is dismissed as not pressed at this stage.

Insofar as petitioner No.1 Sher Singh is concerned, it has gone uncontroverted during the course of arguments that the injury which has attracted offence under Section 307 IPC is attributed to co-accused Sahib Ram and not to Sher Singh S/o Amar Singh (petitioner No.1).

Petitioner No.1 is stated to be in custody since 19.08.2015.

Investigation in the case having been completed, challan was presented on 24.09.2015 and thereafter even charges have been framed on 28.09.2015.

Learned State counsel upon instructions from ASI Prhlad Singh would apprise the Court that the prosecution evidence is yet to be led. Trial as such is at the very initial stage and would take time to conclude.

In the totality of circumstances, the present petition is allowed insofar as petitioner No.1 is concerned. Sher Singh be enlarged on bail subject to satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Fatehabad.

Disposed of.

27.02.2016

harjeet

(TEJINDER SINGH DHINDSA)
JUDGE