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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Date of decision: August 05, 2016
CRM-M-4401 of 2016 (O&M)

Mohit @ AmitPetitioner

Versus

State of HaryanaRespondent

CRM-M-17009 of 2016

Smt. BirmatiPetitioner

Versus

State of HaryanaRespondent

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

Present: Mr. Anshumaan Dalal, Advocate
for the petitioner(s).

Ms. Tanushree Gupta, DAG Haryana.

A.B. CHAUDHARI, J (Oral)

CRM No.23905 of 2016

Heard.

Application is allowed and Annexures P-11 to P-14 are taken
on record.

CRM-M-4401 of 2016 (O&M) and
CRM-M-17009 of 2016

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, petitioners were arrested on 02.11.2015 and are 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 petitioners 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 both these petitions.

Accordingly, these petitions are allowed. Petitioners be released on bail subject to the satisfaction of the learned trial Court.

(A.B. CHAUDHARI)
JUDGE

August 05, 2016

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No