

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

***CRM No.M-9495 of 2016 (O&M)***

***Date of Decision: 09.05.2016***

Jaspal Singh

... Petitioner

Versus

State of Haryana

... Respondent

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

Present:- Dr. Naresh Kaushik, Advocate for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

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**TEJINDER SINGH DHINDSA.J.**

Petitioner seeks benefit of regular bail pending trial in case FIR No.169 dated 03.09.2014, under Sections 323/307/302/506/34 IPC and Sections 148/149 IPC added in challan, registered at Police Station Sadar Ambala, District Ambala.

Counsel for the parties have been heard.

FIR came to be registered on the statement of Shyam Lal in relation to an occurrence that took place on 02.09.2014. Ram Chander i.e. brother of the complainant is the deceased. Sant Kumar i.e. son of the deceased is also stated to have suffered injuries in the occurrence.

Even though as per initial version of the complainant, there was a direct attribution to the present petitioner of a knife blow in the stomach of Ram Chander (deceased), yet it has gone uncontroverted that during the course of trial, complainant has not supported the prosecution version and has been declared hostile.

Furthermore, even Sant Kumar injured and eye witness to the occurrence has been examined as PW5 and has not supported the prosecution version.

Petitioner has been in custody since 03.09.2014.

Without making any observations on merits and keeping in view the length of incarceration already suffered by the petitioner, he is held entitled to the benefit of bail.

Petition is allowed. Petitioner be enlarged on bail subject to satisfaction of Chief Judicial Magistrate/Duty Magistrate, Ambala.

Disposed of.

**09.05.2016**

*harjeet*

**(TEJINDER SINGH DHINDSA)**  
**JUDGE**