

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

203

CRM-M-11054 of 2017
Date of decision: 02.12.2017

Naresh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr.G.S.Goraya, Advocate for the petitioner.
Mr.Satish Saini, DAG, Haryana

SHEKHER DHAWAN, J.

1. Present petition under Section 439 of the Code of Criminal Procedure is for grant of regular bail to the petitioner in case bearing FIR No.57 dated 19.02.2016, registered under Sections 148/149/323 and 302 of IPC, at Police Station Indri, District Karnal, Haryana.

2. Learned counsel for the petitioner contended that the petitioner has been falsely implicated in this case and his name was not mentioned in the First Information Report, rather, his name was added subsequently on the next date. Learned counsel further contended that the co-accused, namely, Patasho has already been admitted on bail vide order dated 23.02.2017 passed by this Court in CRM-M-38006 of 2016 and the case of the petitioner is on better footing. The petitioner is in custody in this case since 29.02.2016.

3. Learned State counsel while opposing the bail application contended that the petitioner had allegedly given a *danda* blow and the cause of death of the deceased was shock and haemorrhage because of multiple injuries. After framing of charge afresh, only five witnesses have been examined and remaining are yet to be examined. Learned State counsel fairly conceded that witnesses i.e. injured and complainant have already

been examined.

4. Having considered the submissions made by learned counsel for the parties and the fact that the petitioner is in custody since 29.02.2016; co-accused, namely, Patasho has already been admitted to bail by this Court vide order dated 23.02.2017 passed in CRM-M-38006 of 2016; after framing of charge almost all the prosecution witnesses were examined and even after framing of charge afresh, after arrest of one of the accused in the case, almost all the witnesses have been examined and the decision of the case still to take some more time, the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the Satisfaction of the CJM/Area Magistrate, Karnal.

(SHEKHER DHAWAN)
JUDGE

02.12.2017
ANJAL

Whether Speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No