

CRM-M-43874-2017

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

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Date of Decision:12.12.2017

Deepak alias Harish

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. R.N.Lohan, Advocate,
for the petitioner.

Mr. B.S.Virk, DAG, Haryana.

INDERJIT SINGH, J.

Petitioner-Deepak alias Harish has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.400 dated 31.10.2015, registered at Police Station Sadar Jind, District Jind, under Sections 302 and 34 of the Indian Penal Code.

Notice of motion has been issued. Learned State counsel has appeared on behalf of respondent-State and contested the instant petition.

I have heard learned counsel for the petitioner as well as learned State counsel and gone through the record.

It has been brought into notice of this Court that out of 19 witnesses, 12 have already been examined. As per the impugned order

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dated 07.11.2017 passed by learned Additional Sessions Judge, Jind, there is one eye-witness namely Parvesh Kumar, who had seen the accused giving beatings, but at that time, he did not know the person, who had given the beatings and later on, the dead body of Jai Singh was found there. It is also mentioned that all the accused including the present petitioner gave the injuries.

Keeping in view the facts and circumstances of the present case and in view of the facts that active role has been played by the petitioner and he is named in the FIR, I do not find it a fit case where the petitioner is entitled to the benefit of regular bail.

Therefore, finding no merit in the present petition, the same is dismissed.

However, as the petitioner has been in custody since 01.11.2015 i.e. for the last more than two years, trial Court is directed to conclude the trial expeditiously by giving short adjournments or even by adjourning the case on day to day basis, if necessary. The Investigating Officer/SHO concerned is directed to produce the witnesses before the trial Court on the next two-three dates.

12.12.2017

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Whether speaking/reasoned : Yes
Whether reportable : No