

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

CRM-M No.11703 of 2018

Date of Decision : 20.04.2018

Ramkaran @ Tilla

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM :HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. J.S. Bedi, Senior Advocate assisted by
Mr. Sunil Sihag, Advocate
for the petitioner.

Mr. Manish Bansal, Dy. Advocate General, Haryana
for the respondent-State assisted by
ASI Sanjay Kumar.

SUDIP AHLUWALIA, J. (ORAL)

The instant petition has been filed under Section 439 of the Code of Criminal Procedure seeking regular bail on behalf of the petitioner in case FIR No.40 dated 14th March, 2017, registered under Sections 148, 149, 302, 323, 324, 325, 506 of the Indian Penal Code and Section 24, 54, 59 of the Arms Act at Police Station Shahzadpur, District Ambala.

2. Mr. Suneet Pal S. Aulakh, Advocate has put in appearance on behalf of the complainant and filed his Power of Attorney today in Court; Be kept on record.

3. The petitioner was arrested on 16th March, 2017.

4. Challan has been submitted against the 09 accused persons for the offences under Sections 148, 149, 302, 323, 324, 325, 506 of the Indian Penal Code and Section 24, 54, 59 of the Arms Act.

5. From the FIR as well as statement of one of the victims namely Jaspal Singh which is on record, it is seen that there is no allegation of the petitioner having directly assaulted the deceased/victim, even though he was admittedly a member of the Unlawful Assembly and had also attacked the victim Jaspal Singh with the blunt weapon.

6. It transpires that during pendency of trial, an application for summoning more accused persons under Section 319 of the Cr.P.C. has been moved at the instance of the complainant and for that reason statements of the ongoing witnesses could not be completed so far.

7. As such considering the long detention undergone by the petitioner as also his specific role as transpires from the FIR and the evidence so far recorded, he may be released on bail to the satisfaction of the Ld. Trial Court concerned, particularly in view of the fact that named assailants of the deceased/victim are already in judicial custody.

8. Disposed off.

April 20, 2018
Dpr

(SUDIP AHLUWALIA)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No