

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

208

CRM-M No.20020 of 2018 (O&M)

Date of Decision: May 18th, 2018

Jitender Singh @ Nikka

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Akshat Mittal, Advocate
for the petitioner.

Mr. Sharad Kumar Yadav, Deputy Advocate General, Haryana.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Prayer in this petition is for grant of regular bail under Section 439 of the Code of Criminal Procedure, 1973, in FIR No.272 dated 08.05.2017 registered at Police Station Assandh, District Karnal, under Sections 148, 149, 216, 323, 307, 302, 506 of the Indian Penal Code.

It is the contention of learned counsel for the petitioner that the petitioner has not been named in the FIR and as per the challan presented against the petitioner, he has been attributed a stick blow on the waist of the complainant. Petitioner was arrested on 21.05.2017 and is in custody since then. Trial is not likely to conclude in near future as none of the witnesses has been examined till date despite the presentation of challan on 06.08.2017. His further submission is that four co-accused of the petitioner have been granted bail including one Mukkadar Singh alias Maggar. He, therefore, contends that the petitioner be granted the same benefit as the trial is not likely to conclude in near future.

Counsel for the State, on the other hand, could not dispute these factual assertions made by the counsel for the petitioner, on instructions from ASI Raja Ram, Police Station Assandh, Karnal.

Having heard the submissions made by the counsel for the parties and keeping in view the fact that the petitioner has not been attributed any injury upon the deceased and that he is in custody for almost one year with the trial not likely to conclude in near future as none of the witnesses has been examined till date, the present petition is allowed.

Petitioner is directed to be released on bail to the satisfaction of the trial Court.

May 18th, 2018
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No