

CRM-M-3234-2018

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-3234-2018

Date of Decision: 02nd February, 2018

Richhpal @ Pala & others

...Petitioners

Versus

State of Haryana

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Amit Goyal, Advocate
for the petitioners.

Mr. Sharad K. Yadav, DAG, Haryana.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioners have approached this Court for grant of regular bail by filing this petition under Section 439 of the Code of Criminal Procedure, 1973, in FIR No.195 dated 18.07.2017, registered at Police Station Rania, District Sirsa, under Sections 323, 324, 325, 326, 148, 149 and 506 of the Indian Penal Code and Section 3 of the Scheduled Castes and Scheduled Tribes Act.

Counsel for the petitioners, after arguing for some time, prays for withdrawal of the present petition qua petitioner No.1-Richhpal @ Pala at this stage. As regards the prayer for grant of regular bail to petitioner No.2 -Jaswinder Singh @ Bill, it is contended that he has been attributed a *Kapa* blow on the head of Prem Kumar, which injury has been found to be simple in nature. Counsel further contends that petitioner No.3-Harpinder @ Pinda has also been attributed a *Kapa* blow on the head of the

complainant, which injury again has been found to be simple in nature. He submits that petitioners No.2 and 3 are in custody since 25.09.2017 and out of total 25 prosecution witnesses, none of them has been examined till date. He further submits that the trial is not likely to conclude soon and further continuation of these petitioners in custody would not serve any useful purpose and thus, they be granted the concession of regular bail.

Counsel for the State, on instructions from ASI Madan Lal, Police Station Rania, District Sirsa, could not dispute the fact that the injuries which have been attributed to petitioners No.2 and 3 are simple in nature and they are in custody since 25.09.2017 as also the fact that likelihood of conclusion of trial at an early date being dim as out of the total 25 prosecution witnesses, none of them has been examined till date.

In view of the above, this criminal miscellaneous petition qua petitioner No.1-Richhpal @ Pala is dismissed as withdrawn at this stage and qua petitioners No.2 and 3, Jaswinder Singh @ Billa and Harpinder @ Pinda respectively is allowed and petitioners No.2 and 3 are ordered to be released on bail subject to their furnishing personal and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(AUGUSTINE GEORGE MASIH)
JUDGE

02nd February, 2018
Harish

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No