

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

207

CRM-M No.3730 of 2018 (O&M)

Date of Decision: March 7th, 2018

Mukul

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Ashit Malik, Advocate
for the petitioner.

Mr. Apoorv Garg, Deputy Advocate General, Haryana.

AUGUSTINE GEORGE MASIH, J. (ORAL)

It is the contention of learned counsel for the petitioner that the petitioner, who was a juvenile at the time of commission of the offence, has not given fatal blow to the deceased although the injury which has been attributed to the petitioner is found to be dangerous to the injured witness. He contends that the petitioner was arrested on 12.05.2017 and is in custody since then. No witness till date has been examined and in fact, the trial Court had to resort to issuance ofailable warrants to procure the presence of the witnesses. He contends that 18 witnesses have to be examined and the trial is not likely to conclude soon which is now fixed for 04.04.2018. He contends that the petitioner was a good student and had obtained 65% marks in 10th Class examination. In support whereof, he has produced the original mark sheet of the petitioner. He prays for the benefit of concession of bail during the pendency of trial.

Counsel for the State could not dispute the contentions as have been raised by the counsel for the petitioner, on instructions from SI Ramesh Kumar, Police Station Farakpur, District Yamuna Nagar.

Having considered the submissions made by counsel for the parties and keeping in view the fact that the fatal injury on the deceased has not been attributed to the petitioner and also that out of 18 witnesses cited by the prosecution, not one has been examined till date, the trial, therefore, is not likely to

conclude soon, the present petition is allowed.

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

March 7th, 2018
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE

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