

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

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CRM-M No.4503 of 2018
Date of Decision: March 6th, 2018

Virender alias Veeru

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Prithvi Raj Yadav, Advocate
for the petitioner.

Mr. Satish Saini, Deputy Advocate General, Haryana.

AUGUSTINE GEORGE MASIH, J. (ORAL)

It is the contention of learned counsel for the petitioner that what is asserted in the FIR is that the petitioner was carrying a *fawra* (spade) but no injury or any active role has been attributed to the petitioner. He contends that the petitioner was arrested on 10.05.2017 and is in custody since then and not even a single witnesses has been examined till date. He, therefore, prays for the concession of grant of regular bail.

Counsel for the State, on instructions from HC Bhagat Singh, states that the assertions as made by the counsel for the petitioner cannot be disputed as far as the FIR is concerned. He further states that the next date of hearing before the trial Court is 20.03.2018 when the case is fixed for prosecution evidence but he could not dispute the fact that not a single witness has been examined till date.

Keeping in view the fact that there is no active role attributed to the petitioner muchless any injury on the person of the injured or the complainant, no witness has been examined till date and thus the trial 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 6th, 2018
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No