

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

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**CRM-M No.4593-2019 (O&M)
Date of Decision : 7.2.2019**

Lalit alias Dabbu

..... Petitioner

versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Dr. Anand K. Bishnoi, Advocate
for the petitioner.

Mr. Surender Singh, AAG, Haryana.

AJAY TEWARI, J. (Oral)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.120 dated 18.4.2018, registered under Sections 379-B/452/427/323/148/149 and 307 converted to Section 302 IPC and Section 25 of Arms Act, 1959 at Police Station City Rewari, District Rewari-Haryana.

As per the FIR, the allegations were that 10-12 persons attacked the deceased and killed him. Learned counsel for the petitioner has argued that as per the post mortem report there were five injuries on the body of the deceased, out of which four injuries were bullet injuries. The petitioner was armed with danda and there was only one lacerated wound on the shoulder which at the most could be said to be caused by the petitioner.

He has further stated that the petitioner has been in custody for 9 months and 23 persons have been arraigned.

Custody certificate dated 6.2.2019 by way of affidavit of Mohmed Sazeed Khan-DSS, Deputy Superintendent, District Prison (Gurgaon)-Haryana has been filed on behalf of the respondent-State, the same is taken on record. Copy has been supplied to the opposite counsel. The custody certificate corroborates the fact that the petitioner has been in custody for 8 months and 25 days.

Learned DAG on instructions from SI Balwan has accepted these factual assertions but opposed the bail by stating that serious offence of murder has been committed by the petitioner.

Without commenting on the merits of the case, keeping in view the above facts and the period of incarceration already suffered by the petitioner, without going into the merits of the case, I deem it appropriate to grant regular bail to the petitioner. Ordered accordingly. Bail to the satisfaction of the concerned trial Court/Duty Magistrate.

Petition stands allowed.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

7.2.2019
anuradha

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No