

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.218

CRM-M-6163-2019 (O&M)

Date of decision : 28.3.2019

Jaspal Singh @ Pala

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Radhe Shyam Sharma, Advocate, for the petitioner.

Mr. D.R. Singla, DAG, Haryana

SUDHIR MITTAL, J. (Oral)

The petitioner seeks regular bail in case FIR No.406 dated 6.8.2018, registered at Police Station Ratia, District Fatehabad, under Sections 304/34 IPC and Section 3 (2) (v) of the Scheduled Castes and Tribes (Prevention of Atrocities) Act, 1989.

Learned counsel for the petitioner submits that the petitioner has been in custody in excess of 07 months now. The trial is not likely to be concluded at an early date as only 01 PW has been examined till date out of total of 18 PWs. There is no other criminal case pending or decided against the petitioner and co-accused have already been granted regular bail and therefore, the petitioner may be released on regular bail.

Custody certificate dated 27.3.2019, prepared by Sh. Rai Sahab, Deputy Superintendent, Central Jail No.2, Hissr, has been filed by the learned State counsel in Court today and the same is taken on record. According to this certificate, the petitioner has undergone custody of 07 months and 19 days and there is no other criminal case pending or decided against him.

The factual submissions made by counsel for the petitioner have not been controverted by learned State counsel.

In view of the fact that the trial is not likely to be concluded at an early date, and keeping in view the custody period of the petitioner as well as the fact that similarly situated co-accused have been granted regular bail, I deem it appropriate to allow this petition. Accordingly, the petition is allowed and petitioner-Jaspal Singh @ Pala, is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the trial Court concerned.

(SUDHIR MITTAL)
JUDGE

28.3.2019
Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No