

CRM-M-36012-2018

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IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-36012-2018 (O&M)

Date of decision: 08.02.2019

Jaibir

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. Akashdeep Singh, Advocate for the petitioner.

Mr. Munish Sharma, AAG, Haryana.

RAMENDRA JAIN, J. (ORAL)

CRM-35297-2018

Application is allowed as prayed for.

Documents Annexures P-9 to P-11 filed along with the application are taken on record, subject to all just exceptions. Be tagged at the appropriate place.

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Through this petition under Section 439 Cr.P.C., prayer has been made for grant of regular bail to petitioner-Jaibir, in case FIR No. 310 dated 17.08.2017 (Annexure P-1) registered under Sections 302, 325, 323, 341, 147, 149 and 506 IPC at Police Station Tosham, District Bhiwani.

The petitioner is facing trial in the aforesaid FIR

(Annexure P-1) for committing the murder of Jagdish, along with his four more companions.

Learned counsel *inter alia* contends that injury attributed to the petitioner is on the hip of deceased, which is not shown in the MLR. Material witnesses have already been examined. Petitioner is in custody since 24.10.2017. Conclusion of trial may take sufficient long time. No useful purpose would be served by detaining him in jail.

On the other hand, learned State counsel vehemently opposed the submissions of learned counsel for the petitioner.

Considering overall facts and circumstances, but without expressing any opinion on the merits of the case, the petition is allowed. Consequently, petitioner-Jaibir, is ordered to be released on bail pending trial, on his furnishing adequate bail bonds and surety bonds to the satisfaction of trial Court/Duty Magistrate, concerned.

February 08, 2019
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(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned Yes/No

Whether reportable Yes/No