

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

221A

Criminal Misc. No.M-47352 of 2018

Date of decision : 28.08.2019

Devender Kumar and another

... Petitioners

Versus

State of Haryana

.. Respondent

CORAM :HON'BLE MR.JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. N.S. Shekhawat, Advocate for the petitioners.

Mr. D.R. Singla, DAG, Haryana.

Mr. G.C. Shahpuri, Advocate for the complainant.

Anupinder Singh Grewal, J. (Oral)

The petitioners are seeking regular bail in FIR No.77 dated 07.04.2017, under Sections 148, 149, 323, 452 and 302 IPC, registered at Police Station Chhachhrauli, District Yamuna Nagar.

Learned counsel for the petitioners contends that the allegations against the petitioners are that they had caught hold of the deceased, namely, Subhash. He also contends that although 12 persons have been named in the FIR but the deceased and the injured have been inflicted only two injuries each which are attributed to co-accused, Bunty and Kulwant who are in custody. The petitioners are in custody for over two years and four months and passing of the final order has been stayed by a Coordinate Bench of this Court in CRM-M-53870 of 2018, on 05.12.2018. He also states that similarly situated co-accused have been granted regular bail by this Court in CRM-M-29056 of 2017, titled as *Darshani Devi and others vs. State of Haryana* and in CRM-M-29794 of 2017 titled as *Krishan Lal vs. State of Haryana* on 07.09.2017.

Learned State counsel states that all the prosecution witnesses have been examined but the final order has not been passed due to the afore-noted interim order passed by the Coordinate Bench.

Heard.

In view of the submissions of learned counsel for the petitioners especially when the petitioners are in custody for over two years and four months and no injury has been attributed to them, I deem it a fit case to grant the concession of regular bail to the petitioners.

Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioners are ordered to be released on regular bail on their furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ANUPINDER SINGH GREWAL)
JUDGE

August 28, 2019

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