

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-23468-2019

Date of Decision: 16.08.2019

Prem Kumar

.. Petitioner

Vs.

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. S.S. Mor, Advocate for the petitioner.

Mr. Navdeep Singh, AAG, Haryana.

...

Inderjit Singh, J. (Oral)

Petitioner Prem Kumar has filed this second petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.145 dated 04.03.2018, registered at Police Station Sadar Bhiwani, District Bhiwani, under Sections 302/452 of the Indian Penal Code, 1860.

Notice of motion was issued.

Learned State counsel appeared and contested the instant petition.

I have heard learned counsel for the petitioner as well as learned State counsel and gone through the record.

From the record, I find that the present petitioner is the brother-in-law (Jeth) of the complainant. As per the allegations, on 03.03.2018, the present petitioner gave simple injuries with lathi and also gave kick and fist blows to Ashok Kumar and he was got admitted in the hospital. Later on, he died in the hospital.

Learned counsel for the petitioner argues that the private witnesses have not supported the prosecution version including the complainant.

The petitioner has been in custody since 04.04.2018. He is not required for any investigation or interrogation purposes as he is in judicial custody. The trial of the case may take long time. No useful purpose will be served by keeping him in custody till the final disposal of the case.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bonds in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

16.08.2019
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No