

In the High Court of Punjab and Haryana at Chandigarh

224-3

CRM-M-53996-2018(O & M)

Date of Decision: 23.05.2019

SACHIN @ SAWAN

.....PETITIONER

VERSUS

STATE OF HARYANA

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Santosh, Advocate for the petitioner.

Mr.Satish Saini, DAG, Haryana.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner is seeking regular bail in FIR No.885 dated 23.7.2018 under Sections 148, 149 and 302 , IPC registered at Police Station Karnal City, District Karnal.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR which has been registered on the statement of Dharamvir who has alleged that Rajinder caused knife blow to the deceased and 7-8 other persons who were standing there had beaten up the deceased. He also contends that after two days of recording the FIR, in his supplementary statement, the complainant had stated that it was Munish and not Rajinder who had caused knife blow to Sishpal. However, in the said statement, he did not name the petitioner. The postmortem report of the deceased indicates only one knife blow on the left thigh of the deceased. He further contends that Dharmvir, when he was examined as prosecution witness in Court did not name the

petitioner. The petitioner has been arrayed as an accused on the disclosure statement of the co-accused, Rajinder. He also contends that the petitioner is not involved in any other case. He is in custody since 27.7.2018. The petitioner is 22 years of age and is an under-graduate student.

Learned State counsel upon instructions from SI Rampal is not in a position to controvert the averments made by the counsel for the petitioner and states that 01 out of 19 prosecution witnesses has been examined.

Heard.

In view of the submissions of learned counsel for the petitioner especially when the petitioner is in custody for over 10 months and conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

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

(ANUPINDER SINGH GREWAL)
JUDGE

May 23, 2019

A.Kaundal

Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No