

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

249

Criminal Misc. No.M-37368-2019

Date of decision : 30.09.2019

Rajesh Kumar

... Petitioner

Versus

State of Haryana

.. Respondent

CORAM :HON'BLE MR.JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. R.N. Lohan, Advocate for the petitioner.

Mr. Kapil Aggarwal, Addl.A.G., Haryana.

Anupinder Singh Grewal, J. (Oral)

The petitioner is seeking regular bail in FIR No.107 dated 28.04.2017 under Sections 307, 120-B, 34 IPC and Sections 25, 54, 59 of the Arms Act and Section 3(2)(V) of the SC/ST (Prevention of Atrocities) Act, registered at Police Station Julana, District Jind.

Learned counsel for the petitioner contends that although the petitioner has been named in the FIR but no overt act has been attributed to him. The allegations in the FIR do not *prima facie* constitute an offence under the SC/ST Act. He also contends that the petitioner had earlier been granted anticipatory bail by the Coordinate Bench of this Court in CRM-M-18157 of 2017 on 17.08.2017 and he had been appearing before the trial Court on each and every date except on 20.08.2019 as he was attending his matter in another Court and consequently, his bail bonds were cancelled. The petitioner is in custody for almost a month since his arrest on 29.08.2019. He further contends that the petitioner shall henceforth appear before the Court on each and every date of hearing and shall not absent himself except with the prior permission of

Learned State counsel, upon instructions from ASI Pawan Kumar, states that 06 out of 20 prosecution witnesses have been examined.

Heard.

In view of the submissions of learned counsel for the petitioner especially when the petitioner is in custody for almost a month 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

September 30, 2019
sonia gugnani

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