

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

CRM-M No.48217 of 2019

Date of decision : 19.11.2019

Rajbir

.....Petitioner

Versus

State of Haryana

...Respondent

CORAM : HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present : Mr. Jagjeet Beniwal, Advocate for
Ms. Sunita Nain, Advocate for the petitioner.

Mr. Ankur Mittal, Addl. A. G., Haryana.

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DAYA CHAUDHARY, J. (Oral)

This is the second petition filed by the petitioner under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to him in case FIR No.150 dated 18.05.2018 under Sections 306/34 of the Indian Penal Code, 1860, registered at Police Station - Jind Sadar, Distt. Jind, during pendency of the trial.

Learned counsel for the petitioner submits that earlier the petitioner was granted regular bail vide order dated 14.01.2019 but subsequently, he remained absent and his bail was cancelled vide order dated 27.02.2019. He was taken into custody on 01.04.2019 and since then he is in custody. Learned counsel further submits that there are total 24 prosecution witnesses, out of them 3 witnesses have been examined and 2

witnesses have been given up and now the next date of hearing before the trial Court is 21.11.2019. Other co-accused of the petitioner are already on bail. Petitioner has remained in custody for a period of more than one year including the earlier period.

Learned State counsel, on instructions of ASI Satish Kumar, has not disputed the custody period, stage of the trial and release of co-accused on regular bail.

Heard arguments of learned counsel for the petitioner as well as learned State counsel. I have also perused the contents of the FIR and other documents on the file.

In view of the submissions made by learned counsel for the petitioner and by considering the period of custody undergone by the petitioner which is more than one year; the stage of the trial and also the fact that the co-accused of the petitioner have been released on regular bail, the present petition is allowed and the petitioner is directed to be released on regular bail on furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate, Jind.

19.11.2019*sunil yadav***(DAYA CHAUDHARY)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No