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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M No.2300 of 2020
Date of Decision : 26.02.2020

Harpal

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. Sunny Bhardwaj, Advocate
for the Petitioner.

Mr. Navdeep Singh, Asstt. Advocate General, Haryana
for the Respondent/State.

SUDIP AHLUWALIA, J. (ORAL)

The instant petition has been filed under Section 439 of the Code of Criminal Procedure seeking Regular Bail in case FIR No.169, dated 31.07.2018, registered under Sections 148, 149, 323, 325, 452, 216 and 302 of the Indian Penal Code, at Police Station Bond Kalan, District Charkhi Dadri, Haryana.

2. The Petitioner was arrested on 2nd October, 2018.

3. The FIR (Annexure P-2) talks about the Petitioner being one of the members of the attacking party, which had allegedly attacked the deceased-Sandeep and caused his death. In addition, the Petitioner's wife was also shown as being a member of the same unlawful assembly. It transpires that out of the accused persons

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referred to in the FIR, one Monu and wives of the Petitioner and accused Mala Ram, were found innocent.

4. No specific role whatsoever has been imputed to the Petitioner in attacking the victim-Sandeep.

5. It transpires that after commencement of trial on 23rd July, 2019, as many as 23 witnesses, still remain to be examined from the prosecution side.

6. The trial, in such circumstances, would appear to take some time.

7. The Petitioner is admittedly not on the same footing as some other assailants, who are specifically alleged to have assaulted the deceased/victim.

8. As such, considering the overall material and the age of the present Petitioner, namely Harpal, he is ordered to be released on bail to the satisfaction of the Ld. Trial Court concerned.

9. Disposed off.

February 26, 2020 **(SUDIP AHLUWALIA)**
Dpr **JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

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