

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

CRM-M-15627-2020 (O&M)

Date of Decision:02.07.2020

Balinder

... Petitioner

Versus

State of Haryana

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Bhupender Singh Advocate for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.

....

TEJINDER SINGH DHINDSA, J. (ORAL).

Matter has been taken up through Video Conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

Petitioner seeks regular bail pending trial in case FIR No.326, dated 16.09.2018, under Sections 148/149/323/324/506 IPC (Sections 302/201/216/34 IPC and Section 25 of the Arms Act added later on), registered at Police Station Madhuban, District Karnal.

Counsel for the parties have been heard.

FIR came to be registered in relation to an alleged occurrence dated 15.09.2018 in which one Pawan Kumar suffered injuries and succumbed to the same. Complainant is nephew of the deceased, namely, Arun Kumar. There are 4 accused in all including the petitioner.

Main accused is Mohit (non-applicant) who is alleged to have inflicted knife blows on the deceased. Insofar as the present petitioner is concerned, fist and kick blows have been attributed.

Petitioner was arrested on 30.09.2018.

Learned State counsel apprises the Court that out of 30 prosecution witnesses cited, 8 have been examined till date.

It has gone uncontroverted that material witnesses including the complainant Arun Kumar stand examined before the trial Court and have not supported the prosecution version.

In view of the above and coupled with the period of incarceration already suffered, petitioner is held entitled to the benefit of bail.

Petitioner be enlarged on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate, Karnal.

Disposed of.

02.07.2020

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

- | | | |
|-----|----------------------------|--------|
| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |