

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

CRM-M-23247-2020

Date of decision: **24.08.2020**

BALRAJ ALIAS BALAR

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Sandeep Saini, Advocate
for the petitioner.

Mr. Karan Sharma, AAG, Haryana.

*(the aforesaid presence is being recorded through video
conferencing since the proceedings are being conducted in Virtual
Court)*

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioner seeks grant of regular bail in a case registered against him vide FIR No.285 dated 10.10.2018 under Sections 302, 148, 149, 323, 452 IPC at Police Station Julana, District Jind.
2. It is the case of prosecution that on 29.9.2018, the petitioner along with his co-accused entered into the house of complainant-Sandeep armed with deadly weapons and caused injuries to Ramphal, Kartar Singh, Neeraj and also to Kelo Devi and that Kelo Devi succumbed to her injuries.
3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and that he is neither named in the FIR nor has been identified by the injured PWs who had been examined during

the course of the trial. Learned counsel in this regard has drawn the attention of Court to the statements of injured PWs namely Sandeep, Kartar Singh, Neeraj and Ramphal (Annexures P-2 & P-3), a perusal of which would show that the aforesaid witnesses have not supported the case of prosecution at all.

4. The aforesaid factual position as regards resiling of the material PWs has not been disputed by learned State counsel, who has also informed upon instructions from ASI Jasbir that the petitioner has been behind bars since last about 1 year and 10 months.
5. Having regard to the aforesaid facts and circumstances of the case especially that the material injured witnesses have not supported the case of prosecution and that the petitioner has been behind bars since last about 1 year & 10 months, further detention of the petitioner will not serve any useful purpose as conclusion of trial is likely to consume some time. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

24.08.2020
Gaurav Sorot

(GURVINDER SINGH GILL)
JUDGE

Whether reasoned / speaking? **Yes / No**

Whether reportable? **Yes / No**

