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

**CRM-M-36053-2019 (O&M)
Date of Decision :24.08.2020**

Dharampal.....Petitioner

Versus

State of Haryana..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

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(Through video conferencing)

Present: Mr. D.N.Ganeriwala, Advocate
for the petitioner.

Mr. Apoorav Garg, DAG, Haryana.

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MANJARI NEHRU KAUL, J. (Oral):

The instant petition has been filed for grant of regular bail to the petitioner in case FIR No. 30 dated 25.03.2019 under Sections 148, 149, 323, 341, 307, 427, 120B IPC registered at Police Station Odhan, District Sirsa.

Learned counsel for the petitioner contends that though the petitioner was named in the FIR initially but he was not challaned by the Investigating Agency. It was only on the basis of the supplementary statement of the complainant recorded on 29.07.2019 that the petitioner was challaned in the instant case. Learned counsel has submitted that in the supplementary statement of the complainant recorded by the police no role had been attributed to the petitioner qua he having fired on the head of the

complainant rather in her supplementary statement the complainant had alleged that the fire shot on the head had been fired by co-accused Gursewak Singh who had since been extended the concession of bail by a co-ordinate Bench of this Court on 03.07.2020 in CRM-M-15861-2020. Learned counsel further submits that the petitioner has been behind bars since 15.06.2019 and only charges have been framed till date. Hence, there is no likelihood of the trial concluding in the near future.

Learned counsel for the State, on instructions from Inspector Rajender Singh, while opposing the prayer and submissions of the learned counsel for the petitioner has not been able to controvert the fact that no role had been attributed to the petitioner in the supplementary statement recorded by the complainant.

Heard.

In view of the submissions made by the learned counsel and keeping in view that the petitioner has been in custody since 15.06.2019, I deem it a fit case to grant the concession of regular bail, as the trial is unlikely to conclude in the near future. The petition is allowed and the petitioner is admitted to bail to the satisfaction of trial Court/Duty Magistrate. However, it is made clear that any observation made herein shall not be construed as an expression of opinion on the merits of the case.

24.08.2020

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(MANJARI NEHRU KAUL)
JUDGE

Note: Whether speaking/reasoned
Whether Reportable:

Yes / No
Yes / No