

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

**CRM-M No.2727 of 2021 (O&M)
Date of Decision.27.01.2021
(Heard through VC)**

Lala Ram @ Amar Singh

...Petitioner

Vs

State of Haryana

...Respondent

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Aditya Sanghi, Advocate
for the petitioner.

Ms. Deepshikha Chauhan, AAG, Haryana.

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JAISHREE THAKUR J. (ORAL)

This is a petition that has been filed for grant of regular bail to the petitioner in FIR No.434 dated 01.08.2018 registered under Sections 302, 304B, 498-A, 34 IPC at Police Station Mahendergarh, District Mahendergarh, who is in custody since 07.08.2018.

Counsel for the petitioner *inter alia* contends that the trial had already been commenced in the said matter and in fact, all 21 witnesses of the prosecution stand examined, however, on a subsequent challan being presented against the son of the petitioner herein, a *do novo* trial is to commence. It is argued that during his custody, the petitioner herein made no attempt to influence the witnesses whose statements already stand recorded. The *de novo* trial is likely to take some time to conclude and therefore, seeks concession of bail to the petitioner.

Learned counsel appearing on behalf of the respondent-State, on instructions from ASI Babu Lal, opposes grant of regular bail to the

petitioner by contending that the petitioner ought to have challenged the order whereby two trials have been clubbed together i.e. trial of the petitioner herein and his son, who was arrested after his bail application was dismissed by the Hon'ble Supreme Court.

I have heard learned counsel for the parties and have perused the paper book and found that adequate reasons are there for allowing regular bail to the petitioner, who is in custody since 07.08.2018. The trial was at fag end after statement of the prosecution witnesses had been recorded as well as statement given by the petitioner under Section 313 Cr.P.C. Since the matter stands clubbed with that of son of the petitioner, the *de novo* trial will take some time to conclude and therefore, no useful purpose would be served by keeping the petitioner behind bars. The instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal/surety bond to the satisfaction of concerned trial Court/Duty Magistrate. However, any observation made herein shall not be construed to be an expression on merits of the case.

(JAISHREE THAKUR)
JUDGE

January 27, 2021

Pankaj*

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No