

In the High Court of Punjab and Haryana at Chandigarh

231-3

**CRM-M-11594-2021 (O & M)
Date of Decision: December, 07, 2021**

JASMER SINGH

.....PETITIONER

VERSUS

STATE OF HARYANA

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr.K. S. Dhaliwal, Advocate for the petitioner.

Mr. Kirpal Singh Thakur, AAG, Haryana.

Mr. Hamit Hasan, Advocate for the complainant.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner is seeking regular bail in FIR No.199 dated 16.04.2018, under Sections 148, 149, 323, 324, 302, 307, 447, 506, 511, 120-B IPC and Sections 25 and 27 of the Arms Act (Sections 54 and 59 added lateron), registered at Police Station Shahabad, District Kurukshetra.

Learned counsel for the petitioner contends that FIR is outcome of an altercation between the parties with regard to dispute over burial land. No specific injury has been attributed to the petitioner. The petitioner himself had received several serious injuries including an injury on his head. He has been brought to the hospital in a semi-conscious state. He has furnished a copy of the MLR of the petitioner conducted at CHC, Shahabad, which is taken on record. He further contends that in their initial testimony all the material witnesses had resiled from the statements and had not supported the

prosecution case qua the involvement of the petitioner. Later they had moved applications for their re-examination. He also contends application under Section 319 Cr.P.C. has been allowed and 08 more accused have been summoned and, therefore, the trial is not likely to conclude in the near future. The petitioner is 65 year of age and is in custody for over 03 years and 07 months. He further contends that co-accused namely Randhir Singh, Harpreet Singh @ Ankush, Vijender Singh, Gurcharan @ Kaka, Saravjeet Singh, Jaspal Singh and Angrej Singh have been granted the concession of regular bail by the Coordinate Benches of this Court in CRM-M-17048-2020, CRM-M-18079-2020, CRM-M-21054-2020, CRM-M-21837-2020, CRM-M-7083-2021, CRM-M-17286-2021 and CRM-M-17986-2021 respectively.

Learned counsel for the complainant contends that the petitioner had himself lodged an FIR earlier against several persons including Sarpanch of the village with regard to the dispute over the possession of the land. He further contends that in view of the serious allegations against the petitioner, he is not entitled to the concession of regular bail

Learned State counsel upon instructions from SI Balbir Singh states that 26 out of 83 prosecution witnesses have been examined.

Heard.

In view of the above, especially when the petitioner, who is 65 year of age, is in custody for over 03 years and 07 months, he himself had suffered serious injuries, no specific injury has been attributed to the petitioner, co-accused have been granted bail, Covid 19 pandemic and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ANUPINDER SINGH GREWAL)
JUDGE

December, 07, 2021

A.Kaundal

Whether speaking/ reasoned	:	Yes/No
Whether Reportable	:	Yes/No