

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

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CRM-M-19209-2021

Date of Decision: 29.09.2021

Rammehar

.....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Shailender Singh Gill, Advocate for petitioner.

Mr. Vikrant Pamboo, Deputy Advocate General, Haryana.

Lalit Batra, J.(Oral)

Case has been taken up for hearing through Video Conferencing.

Present petition under Section 439 Cr.P.C is for grant of regular bail to petitioner-**Rammehar** in case F.I.R. No.98 dated 25.05.2020 under Sections 302, 323 and 506 IPC read with Section 34 IPC, registered at Police Station Rajound, District Kaithal.

Learned counsel for petitioner *inter alia* contends that version, as alleged in the FIR, is totally concocted one and there is no iota of truth therein. He further submits that allegedly petitioner along with co-accused while armed with *Gandasi* and *Lathis* inflicted injuries on the person of Harikesh, which led to his death. He further urges that allegedly head injury on the person of

Harikesh (since deceased), which proved 'fatal', said injury is attributed to co-accused Ramswaroop. He further urges that prosecution witness namely PW-1 Angrej, complainant, when appeared in the witness-box, has not supported the cause of prosecution. He further submits that prosecution witnesses namely PW-2 Raj Kumar, PW-3 Balwan and PW-4 Sunil Kumar, when appeared in the witness box, they have not uttered even a single word against accused persons including the petitioner. He further submits that petitioner is languishing in custody since 30.06.2020 and since trial of the case would take sufficient time to conclude, no useful purpose would be served by keeping the petitioner in custody further and he may be released on bail.

On the other hand, learned State counsel while opposing instant petition has vehemently argued that keeping in view seriousness of offence, petitioner does not deserve the concession of bail.

I have heard learned counsel for the parties and carefully gone through the contents of petition as well as status report furnished at the instance of respondent-State and record of the case.

At this stage, without commenting anything on the merits of the case lest it may prejudice the outcome of the trial but taking into consideration the fact that petitioner is languishing in custody since 30.06.2020; that testimonies of material witnesses namely PW-1 Angrej (complainant), PW-2 Raj Kumar, PW-3 Balwan and PW-4 Sunil Kumar, have already been recorded and since trial of the case would take sufficient time to conclude, no useful purpose would be served by detaining the petitioner in custody further, thus, he deserves the concession of bail.

In view of above, instant petition for grant of regular bail moved by petitioner-**Rammehar** is allowed and he is ordered to be released on bail on his furnishing personal/surety bonds to the satisfaction of Trial Court/Chief Judicial Magistrate/Duty Magistrate, Kaithal, as the case may be.

(LALIT BATRA)
JUDGE

29.09.2021
d.gulati

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