

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

205

CRM-M-20516-2021 (O&M)

Date of decision: 07.06.2021

KULDEEP

...Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present : Mr. DS Matya, Advocate for the petitioner.

Mr. Ankur Mittal, Addl. AG, Haryana.

ANIL KSHETARPAL, J. (Oral)

The hearing of the case was held through video conferencing on account of restricted functioning of the Courts.

The petitioner prays for bail pending trial in a criminal case arising from FIR No.182, dated 15.04.2020, registered under Sections 323, 302, 506, 188, 120-B and 201 IPC and Section 25 of the Arms Act, at Police Station Sadar Nuh.

As per the case of prosecution, the petitioner along with his co-accused Lokesh was going in a car when the first informant came out of his house to fetch straw/cattle fodder. The accused are alleged to have questioned the first informant as to why he came in the middle on the road, due to which there took place scuffle. The brother of the first informant came in between and tried to diffuse the situation however, the petitioner is stated to have given a knife blow to the first informant whereas Lokesh is alleged to have

fired a gun shot resulting in death of Satbir.

Learned counsel for the petitioner contends that on completion of the investigation, the challan presented in the Court and the petitioner is not alleged to have caused any injury to the deceased. He further submits that the petitioner is in custody since 20.04.2020.

Per contra, Mr. Ankur Mittal, Addl. AG, Haryana, submits that it was not a case of sudden fight. He further submits that the accused have committed pre-planned murder after entering into conspiracy.

Without commenting on the merits of the case and keeping in view the fact that the petitioner is not alleged to have caused any injury to the deceased and he has already suffered incarceration for more than one year and one month, it is considered appropriate to direct release of the petitioner on regular bail subject to furnishing of adequate surety to the satisfaction of the Chief Judicial Magistrate/Trial Court/Duty Magistrate, concerned.

Accordingly, the petition is allowed with the aforesaid directions.

07.06.2021

ashok

Whether speaking/reasoned:

Whether reportable:

(ANIL KSHETARPAL)

JUDGE

Yes / No

Yes / No