

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

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**CRM-M-24113 of 2021
Date of Decision:01.10.2021**

Jinder @ Jindu @ Gurcharan

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Parveen Chauhan, Advocate,
for the petitioner.

Mr. Munish Sharma, AAG, Haryana

AMOL RATTAN SINGH, J. (ORAL)

Case heard via video conferencing.

Vide this petition, the petitioner seeks the concession of 'regular bail' under the provisions of Section 439 of the Cr.P.C., upon FIR no.79, dated 19.05.2019, having been registered at Police Station Sadar Kaithal, alleging therein the commission of an offence punishable under Section 302 of the IPC.

Learned counsel for the petitioner points to that part of the report under Section 173 of the Cr.P.C. wherein villagers of village Nouch are stated to have been associated with the investigation and with them having allegedly stated that the deceased, Rakesh Kumar, ended his life by setting himself on fire.

Learned State counsel however submits that even as per the reply filed on behalf of the respondent State, the dying declaration of the deceased, made

before a Magistrate, was to the effect that it was the petitioner who set him on fire.

Upon query, he submits that the petitioner has been in custody for the past two years and 3 months, with the trial still to effectively commence, with even the charge still not framed.

There is stated to be no other criminal case registered against the petitioner.

That being so, without making any comment on the actual merits of the case, the petition is allowed and the petitioner is ordered to be released on bail, subject to his furnishing adequate bail bonds and surety bonds to the satisfaction of the trial court.

The reply filed on behalf of the respondent State is ordered to be taken on record.

October 01, 2021
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	Yes