

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

**CRM-M-2359-2022(O&M)
Date of decision: 25.01.2022**

Kapil

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.Kanwal Goyal, Advocate, for the petitioner
Mr. Gurmeet Singh, AAG, Haryana

ANIL KSHETARPAL, J. (ORAL)

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

The petitioner prays for concession of bail pending trial in a criminal case arising from FIR No.277 dated 28.11.2020 registered under Section 147, 148, 149, 302 IPC at Police Station, PGIMS, Rohtak.

The FIR was registered on the information given by Krishan. He stated that he alongwith his family members went to attend marriage of his sister-in-law's son namely Tilak. In the marriage ceremony, two boys namely Ashish and Dharam Singh started abusing his sister-in-law. His son Ravinder asked them to stop. They went away and came back with 4-5 other boys and started beating Ravinder. It is alleged that they gave leg and fist blows on Ravinder's mouth, head and chest. Late Sh. Ravinder was taken to PGIMS, Rohtak, for treatment, however, he died.

Learned counsel representing the petitioner contends that the petitioner has been named as an accused in the supplementary statement of the first informant. While drawing the attention of the Court to the post mortem report, Annexure P-2, he contends that the deceased has suffered three injuries namely contusion, a lacerated wound and a penetrated wound. Learned counsel contends that the petitioner has not been attributed any specific role except his presence.

The petitioner is in custody since 28.11.2020. On the conclusion of the investigation, the police has already filed its final report and the court has framed the charges. However, evidence of the prosecution is yet to be recorded.

Learned State counsel admits that the petitioner does not have a criminal past.

Conclusion of the trial is likely to take some time.

Keeping in view the aforesaid facts and without commenting on the merits of the case, further incarceration of the petitioner does not appear to be justified. Hence, it is directed that the petitioner shall be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

Accordingly, the present petition is allowed

All the pending miscellaneous applications, if any, are also disposed of.

25.01.2022
rekha

(ANIL KSHETARPAL)
JUDGE

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