

In the High Court of Punjab and Haryana at Chandigarh

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**CRM-M-13055-2022 (O & M)
Date of Decision: April 08, 2022**

KHALIL

.....PETITIONER

VERSUS

STATE OF HARYANA

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Ms. Anju Sharma , Advocate for the petitioner.

Mr. Kapil Bansal, DAG, Haryana.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner is seeking regular bail in FIR No.134 dated 01.04.2018, under Sections 302, 120-B and 34 IPC, registered at Police Station Sadar Thanesar, District Kurukshetra.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR and has been arraigned as an accused on the statement of co-accused Sajid. Co-accused Sajid has been granted regular bail by the Coordinate Bench of this Court in CRM-M-36376-2020 on 14.03.2022. The petitioner is suffering from serious heart ailment and is in custody for almost 04 years.

Learned State counsel has filed custody certificate which indicates that the petitioner is in custody for 03 years, 11 months and 27 days. He upon instructions states that 19 out of 23 prosecution witnesses have been examined. He has also filed affidavit of Deputy Superintendent, District Jail, Kurukshetra wherein medical certificate issued by the Medical Officer of District Jail has been appended. It is stated in the certificate that the petitioner is suffering from

hypertension, CAD and Chest pain. He had received treatment from PGIMS, Rohtak and had also been advised for surgery at PGIMS, Rohtak. It is further stated that his condition is deteriorating day by day.

Heard.

In view of the above, especially when the petitioner is suffering from a serious heart ailment, he is in custody for almost 04 years, co-accused has been granted bail, 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

April 08, 2022
A.Kaundal

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