

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

CRM-M-25179-2022 (O&M)

Date of decision: 11.07.2022

Deepak @ Jat

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Vikas Bishnoi Godara, Advocate for the petitioner.

Mr. Surender Singh, AAG Haryana.

HARNARESH SINGH GILL, J. (ORAL)

The petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 311 dated 01.08.2019, registered under Sections 147, 148, 149, 307, 323, 302, 303 IPC, at Police Station Azad Nagar, District Hisar.

Learned counsel for the petitioner submits that the occurrence took place in the jail premises and the only attribution to the petitioner is kick and fist blows on the injured Talwinder and Harjeet; that the injury upon the deceased is not attributed to the petitioner; that some of the similarly placed co-accused have already been granted regular bail; that the petitioner has been in custody since 16.08.2019 and that as far as other cases are concerned, the petitioner has been convicted and undergone the sentence in 4 cases, acquitted in 1 case and 03 cases are pending.

Learned State counsel, while vehemently opposing the prayer for bail, submits that the petitioner has actively participated in the occurrence.

The petitioner is involved in 8 other cases. However, he does not dispute the custody period of the petitioner. He submits that the prosecution witnesses are yet to be examined.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 16.08.2019. Only the kick and fist blows have been attributed to the petitioner on the person of injured Talwinder and Harjeet, not on the person of the deceased. Out of other cases against the petitioner, he stands convicted and undergone the sentence in 04 cases, acquitted in 01 case and 03 cases are pending. The prosecution witnesses are yet to be examined. Moreover, some of the similarly placed co-accused are on regular bail. Therefore, the conclusion of the trial would take time. Hence, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

11.07.2022
Mangal Singh

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No