

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

**236**

**CRM-M-33127-2021 (O&M)**

**DATE OF DECISION: 07.01.2022**

**SUNNY**

**... Petitioner(s)**

***Versus***

**STATE OF HARYANA**

**... Respondent(s)**

**CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL**

Present: Mr. M.S. Dalal, Advocate for the petitioner.

Mr.Kirpal Singh Thakur, AAG, Haryana.

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**ANUPINDER SINGH GREWAL, J. (ORAL)**

Case taken up through video conferencing.

The petitioner is seeking regular bail in FIR No.111 dated 25.06.2019, initially registered under Sections 323, 324, 506/34 IPC (Sections 307 & 302 IPC added later on), registered at Police Station Rajaund, District Kaithal.

Learned counsel for the petitioner contends that the incident took place due to sudden quarrel over the dispute pertaining to embankment of agriculture field. The petitioner is alleged to have given a solitary blow with a spade (kasaula). He further contends that the FIR was initially registered under Sections 323, 324 IPC and later on, Sections 302 and 307 IPC were added as the deceased expired after 3 ½ months of the incident. The petitioner is 23 year of age and is not involved in any other criminal case. He also contends that it would be arguable as to whether offence under Section 302 IPC would be made out in the afore-noted facts and circumstances. The petitioner is in custody for over 02 years and 04 months

Learned State counsel, upon instructions from SI Wazir Singh, contends that 07 out of 21 prosecution witnesses have been examined.

Heard.

In view of the above, especially when the petitioner is in custody for over 02 years and 04 months, he is not involved in any other case, the COVID-19 pandemic 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 instant 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.

Criminal miscellaneous application, if any, also stands disposed of.

**(ANUPINDER SINGH GREWAL)**  
**JUDGE**

**07.01.2022**

*SwarnjitS*

|                           |   |          |
|---------------------------|---|----------|
| Whether speaking/reasoned | : | Yes / No |
| Whether reportable        | : | Yes / No |