

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

CRM-M-46533-2021

Date of decision: 18.02.2022

Balraj

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Rohtash Kumar, Advocate,
for the petitioner.

Mr. Manish Dadwal, AAG, Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Through this petition, the petitioner seeks regular bail in case bearing FIR No.433, dated 28.09.2020, registered under Sections 147, 148, 149, 302, 323, 452 and 506 IPC and Section 25 of the Arms Act, 1959, at Police Station Narnaund, District Hisar.

There are allegations that the petitioner was a member of unlawful assembly and Ram Kumar was murdered by some members of that unlawful assembly.

Learned counsel for the petitioner contends that no specific injury has been attributed to the petitioner; that the petitioner has been in custody since 14.10.2020; that out of 36 prosecution witnesses, none has been examined, and that co-accused namely, Kamlesh, Rittu, Bantu @ Banti and Chiriya stand released on regular bail. On this premise, learned counsel prays that the petitioner be released on bail.

On the other hand, learned State counsel, while opposing the

submissions made by the learned counsel for the petitioner for the grant of bail, submits that the petitioner being a member of unlawful assembly, had actively participated in the crime. However, he does not dispute the custody period of the petitioner.

I have heard the learned counsel for the parties.

No specific injury has been attributed to the petitioner. The petitioner has been in custody since 14.10.2020. As stated above, the co-accused stand enlarged on regular bail. Out of 36 prosecution witnesses, none has been examined yet. As such, trial is unlikely to conclude any time soon. Therefore, 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 present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

18.02.2022

parveen kumar

(HARNARESH SINGH GILL)**JUDGE**

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No