

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

CRM-M-53662-2019

Date of Decision:01.06.2022

Bijender

.....Petitioner

Vs.

State of Haryana

...Respondent

CORAM : HON'BLE MR.JUSTICE AMOL RATTAN SINGH

Present: Mr. Jitender Nara, Advocate,
for the petitioner.

Mr. Aman Bahri, Addl.A.G., Haryana.

AMOL RATTAN SINGH, J. (Oral)

Vide this second petition, the petitioner seeks the concession of 'regular bail' under the provisions of Section 439 of the Cr.P.C., upon FIR no.244, dated 11.09.2017, having been registered at Police Station Sahlawas, District Jhajjar, alleging therein the commission of offences punishable under Sections 302, 34 of the IPC.

A somewhat detailed order was passed on 07.05.2022 observing therein that an application had been filed on behalf of the accused seeking to summon a Senior Scientific Officer posted at the FSL, Madhuban, if this court found that the matter was being unnecessarily delayed by the accused, the interim order passed in favour of the petitioner need to be vacated.

However, learned counsel for the petitioner has produced in court today an order passed by the trial court dated 19.05.2022, stating that since the learned Presiding Officer would not be holding court between 20.05.2022 to 27.05.2022, hearing in the matter had been adjourned to 06.06.2022.

That being so, and with the role attributed to the petitioner (Bijender) being one of inflicting *lathi/danda* blows to the deceased, but with the fatal blow alleged to have been inflicted by his father (Inder), on the head of the deceased, therefore with the petitioner having remained in custody for 4 years before he was admitted to interim bail, without making any comment whatsoever on the actual merits of the case, the order passed admitting the petitioner to interim bail on 09.09.2021, is made absolute on the same terms and conditions.

Naturally, in the trial, as regards the role of the petitioner and all his co-accused, that would be considered by the learned trial court wholly and completely on the basis of evidence led before it.

The petition is allowed in the aforesaid terms.

June 01, 2022

dharamvir

**(AMOL RATTAN SINGH)
JUDGE**

Whether reasoned/speaking : Yes
Whether reportable : No