

**217-2 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-31094-2022

Date of Decision: January 12, 2023

JASHAN RANDHAWA

....Petitioner(s)

VERSUS

STATE OF HARYANA

....Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Anmol Rattan Sidhu, Senior Advocate with
 Ms. Sandhya Gaur, Advocate,
 Mr. Raghav Gulati, Advocate &
 Mr. Eeshan Garg, Advocate
 for the petitioner.

Mr. Gagandeep Singh, AAG, Haryana.

SANDEEP MOUDGIL, J.(ORAL)

This petition has been filed by the petitioner under Section 439 Cr.P.C. seeking regular bail in case FIR No.224 dated 15.10.2020 under Sections 302, 323, 341, 34 (offence under Sections 201, 427, 148, 149 added later on) of the Indian Penal Code, 1860, registered at Police Station Shahzadpur, District Ambala.

Reply by way of an affidavit of HPS Deputy Superintendent of Police, Naraingarh, District Ambala, has been filed on behalf of State of Haryana, which is taken on record.

Learned counsel for the petitioner contends that he has been implicated in the present case merely on the assumption that he was armed with danda and has given beatings whereas the other co-accused, who were armed with sharp edged weapons, injuries at their hands might have resulted in the death of the deceased. He has also taken the support of the fact that

other co-accused namely Kuldeep Singh, has also been granted bail by this Court.

Controverting the aforesaid fact the State counsel states that a motorcycle and a mobile-phone was recovered from him which shows active role of the petitioner in commissioning of the crime, along with other co-accused persons. However, he could not dispute the period of the custody already undergone and fails to point out any injury which can be termed to be dangerous to life has been caused by the petitioner. He also failed to controvert that the trial is commencing at a snail's pace because out of 24 witnesses only 03 witnesses have been examined so far.

Considering the aforesaid fact, the petitioner is directed to be released on bail, subject to the satisfaction of CJM/Duty Magistrate Ambala, as the trial is likely to take some more time and no fruitful purpose would be served by keeping the petitioner behind bars.

Disposed of.

(SANDEEP MOUDGIL)
JUDGE

12.01.2023

Sangeeta

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