



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

207

CRM-M-65359-2023

Date of decision: May 17th, 2024

Jagnoor alias Noor

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. P.P.S. Tung, Advocate
for the petitioner.

Ms. Deepshikha Chauhan, Assistant Advocate General,
Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioner is seeking the concession of bail under Section 439 of the Code of Criminal Procedure, 1973 in case FIR No.54 dated 27.02.2022 under Sections 302, 323, 325, 120-B/34 of the IPC and Section 25 of the Arms Act registered at Police Station Chhachhrauli, District Yamuna Nagar.

2. In compliance of order dated 04.04.2024, reply by way of affidavit of Deputy Superintendent of Police, Head Quarter, Yamuna Nagar, has been filed in Court, along with a report of the Child Welfare Committee, which is taken on record.

3. As per allegations levelled in the FIR, which has been annexed as Annexure P-1, the only role attributed to the petitioner is of having held the deceased by his arms when he was inflicted injuries by co-accused Sandeep Singh.

4 Learned State counsel, on instructions from S.I. Subhash Chand, has not disputed the role attributed to the petitioner in the crime in question. It has also not been disputed that all the material witnesses including the complainant stand examined during the trial. However, learned State counsel, on instructions, has submitted that the complainant had duly identified the petitioner as being the one, who had held the arms of the deceased when he was inflicted injuries by co-accused. Learned State counsel while drawing the attention of this Court to the reply filed in the Court today has not disputed that the petitioner, who was a juvenile when the occurrence in question took place, is not involved in any other criminal case. She, on further instructions, has informed the Court that as many as 28 witnesses have been cited by the prosecution, out of which five stand examined, which also include the complainant as well as the stamped witness.

5. I have heard learned counsel for the parties and perused the material placed on record.

6. In the facts and circumstances as enumerated hereinabove, coupled with the fact that the petitioner is not involved in any other criminal case and the trial would take considerable time to conclude as 23 prosecution witnesses still remain to be examined, the instant petition is allowed. The petitioner be admitted to bail to the satisfaction of the trial Court/Duty Magistrate concerned. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

May 17th, 2024
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No