

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No. M-16265 of 2015

Date of decision:25.05.2015

Dheeraj @ Sonu @ Monu

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM: HON'BLE MS. JUSTICE NAVITA SINGH

Present: Mr. Bhawesh Chaudhary, Advocate for the petitioner.
Mr. Neeraj Sharma, AAG, Haryana.

Navita Singh, J. (Oral)

This petition has been moved by Dheeraj @ Sonu @ Monu under Section 439 of the Code of Criminal Procedure seeking regular bail in case FIR No.133 dated 25.06.2013 registered under Sections 392/397/307 IPC and Sections 25-54-59 of Arms Act at Police Station Salhawas, District Jhajjar.

It is submitted by counsel for the petitioner that he was implicated on the basis of disclosure statement of the co-accused which was not admissible.

Counsel for the State submits that the main witnesses have turned hostile and the bail application of the petitioner was rejected by the Court below on 25.6.2014 and the witnesses had resiled after that. According to him, a direction to petitioner to move the trial Court for bail would suffice.

Counsel for the petitioner, however, submits that irrespective of everything, the latter is in custody since 31.7.2013 and the trial is likely to take some time and moving the bail application again before the trial Court would not be in the interest of justice.

So far as the offence under Arms Act is concerned, it is felt that the petitioner has already spent sufficient time in custody.

Without commenting on the point about the witnesses having resiled, because that may be for undisclosed reasons, it is felt that the petitioner is entitled to bail in view of the period of custody and the fact that the trial is not likely to be concluded in the near future. Bail to the satisfaction of the trial Court/ Chief Judicial Magistrate, Jhajjar.

25.05.2015
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(NAVITA SINGH)
JUDGE