

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M No. 22850 of 2015 (O&M)
Date of decision : September 10, 2015

Braham Prakash,

..... Petitioner

v.

State of Haryana,

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Ms. Monisha Lamba, Advocate
for the petitioner.

Ms. Tanushree Gupta, DAG Haryana

1. **Whether Reporters of Local Newspapers may be allowed to see the judgment ?**
2. **To be referred to the Reporters or not ?**
3. **Whether the judgment should be reported in the Digest ?**

Ajay Tewari, J (Oral)

The petitioner seeks grant of regular bail in case FIR No.295, dated 22.4.2015, registered under Sections 148, 149, 452, 364-A, 307, 395, 397, 120-B of the IPC and Section 25 of the Arms Act, at Police Station Sector 10, Gurgaon.

At the very outset, counsel for the petitioner has stated that on 3.8.2015, she had inadvertently given the Court to understand that the victim's testimony was fixed. Actually, the case has now been fixed for evidence for the first time for 5.10.2015 and that the petitioner has been in custody since 22.4.2015 and prays that in view of the period of custody, the petitioner should be released on bail.

Learned DAG Haryana, on instructions of ASI Om Bir Singh, has stated that the case is fixed for prosecution evidence on 5.10.2015 and the prosecution undertakes to examine the victim Krishan Kumar on that date as per the directions given on the last date and thereafter the petitioner may be released on bail.

I find this to be a fair request. In the circumstances, it is directed that in case the testimony of the victim is recorded on 5.10.2015, the petitioner be released on bail to the satisfaction of the trial Court after the testimony is over. If the victim Krishan Kumar does not appear to give his testimony on the said date, the trial Court shall release the petitioner on bail to its satisfaction.

This petition stands disposed of.

September 10, 2015
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(AJAY TEWARI)
JUDGE