

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

205

Criminal Misc. No.M-26985 of 2015

Date of Decision: 21st August, 2015

Parmanand

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Mr. Karan Pathak, Advocate
for the petitioner.

Mr. Sharad Kumar Yadav, DAG, Haryana.

DAYA CHAUDHARY, J.(Oral)

The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.179 dated 13.05.2014, registered under Section 306 IPC at Police Station Model Town Rewari, District Rewari during the pendency of the trial.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case. He also submits that during the course of investigation, call details of the mobile number of the deceased was enquired into and on the basis of which, three persons were arrayed as an accused. He also submits that out of said persons, two were declared innocent and challan has been presented against the present petitioner only. He also submits that out of total 16 witnesses, 11 witnesses have already been examined and three

witnesses have been given up. He also submits that only two official witnesses still remain to be examined and there is no possibility of influencing remaining witnesses being official witnesses. He also submits that the petitioner is in custody for the last more than one year and two months and application under Section 319 Cr.P.C. was allowed on 12.03.2015 and it will be de novo trial.

Learned State counsel, on instructions from SI Raj Kumar, has not disputed the stage of the trial and custody period of the petitioner but opposes bail.

In view of the submissions made by learned counsel for the parties and keeping in view the custody of more than one year and two months and also the fact that all material witnesses except two official witnesses have already been examined, there is no possibility that the petitioner may influence the remaining witnesses and no purpose would be served by keeping him in custody, the petition is allowed and the petitioner is directed to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court.

August 21, 2015
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(DAYA CHAUDHARY)
JUDGE