

IN THE PUNJAB & HARYANA HIGH COURT AT CHANDIGARH

CRM-M-30401-2014

Date of decision : 08.01.2015

Surender @ Tunti

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. Vishal Malik, Advocate
for the petitioner.

Mr. Prabhjeet Singh Sullar, Addl. A. G. Haryana

REKHA MITTAL, J.(ORAL)

The petitioner prays for grant of bail in FIR No.164 dated 28.07.2012 registered in Police Station Sadar, Jind, District Jind for offence punishable under Section 307 of the Indian Penal Code and Section 25 of the Arms Act.

Counsel for the petitioner inter alia contends that the petitioner is in custody since registration of FIR in July, 2012. It is further submitted that conclusion of trial is likely to take some time and he may be released on bail pending trial. It is further submitted that the present case is a case of no injury.

Counsel for the State, on instructions from HC Vajir Singh, 178, Police Station Sadar, Jind, has not disputed factual assertions in regard to custody and there being no injury sustained in the occurrence by any person. However, counsel would submit that the prosecution witnesses

except one have been examined and the case is pending for 19.01.2015 for examination of said witness. It is further submitted that the trial is likely to be concluded shortly.

In reply, counsel for the petitioner is not in a position to controvert the submissions made by counsel for the State.

Without meaning to express any opinion on merits of the controversy, in case the prosecution fails to conclude its evidence on 19.01.2015 without any default attributable to the petitioner, he shall be released on bail subject to the satisfaction of the trial Court. However, he shall abide by the following conditions:-

- (i) he shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer; and
- (ii) he shall not leave India without the previous permission of the Court.

(REKHA MITTAL)
JUDGE

January 08, 2015.
Davinder Kumar