

CRM-M-31100-2015

[1]

In the High Court of Punjab and Haryana at Chandigarh.

CRM-M-31100-2015

Date of Decision:19.11.2015

Joginder @ Kala

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Neeraj Kumar, Advocate,
for the petitioner.

Ms. Mahima, AAG, Haryana.

SABINA, J.

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in FIR No.39, dated 20.02.2013, under Sections 148, 149, 302, 420 and 120-B of the Indian Penal Code, 1860 and Section 25 of the Arms Act, 1959, registered at Police Station Sampla, Rohtak, District Rohtak.

Learned counsel for the petitioner has submitted that petitioner was found innocent during investigation and has been summoned to face the trial on an application moved by the prosecution under Section 319 of Criminal Procedure Code, 1973. Petitioner is in custody since 26.08.2015. Material witnesses have not supported the prosecution case during trial.

Learned State counsel, on the other hand, has opposed the petition but has failed to controvert the factual

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aspect of the submissions made by learned counsel for the petitioner.

Accordingly, without expressing any opinion on the merits of the case, this petition is allowed. Petitioner be admitted to bail subject to the satisfaction of Chief Judicial Magistrate, Rohtak.

November 19, 2015
kapil

(SABINA)
JUDGE