

**CRM-M-31976-2015(O&M)
Date of Decision:07.12.2015**

DEVENDER ALIAS BANTA**....PETITIONER**

VS

STATE OF HARYANA**....RESPONDENT****CORAM : HON'BLE MR. JUSTICE AJAY TEWARI**

Present : Mr.T.S.Sangha, Sr. Advocate with
Mr.H.S.Sangha, Advocate
for the petitioner.

Mr.Chetan Sharma, AAG, Haryana.

1. Whether Reporters of local papers 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)

This is a petition for regular bail filed in case bearing FIR No. 674 dated 20.12.2014, under sections 148, 149, 302, 323, 506 IPC and Section 25 of the Arms Act, registered at Police Station Hodal, District Palwal.

It is stated that on the last date the investigating officer could not appear as the work was suspended. Learned senior counsel has stated that even though on the last date he did not oppose the adjournment on this ground, yet the fact of the matter is that the petitioner was neither named in the FIR and even if he is taken to be one of the unidentified boys, there is no attribution to him and he has been in custody since 30.12.2014. Learned counsel states that the matter is now fixed for 07.01.2016 and the case be adjourned beyond that date.

In my opinion the concern of both the learned counsel can be met by directing that the petitioner be released on bail after the testimony of PW1- eye witness- Anil and in case said witness does not appear for giving his testimony on 07.01.2016 then the petitioner would be released on bail by the trial Court forthwith. Ordered accordingly.

Petition stands disposed of in the above terms.

Since the main case has been decided, the Criminal Misc. Application, if any, also stands disposed of.

December 07, 2015
sunita

(AJAY TEWARI)
JUDGE