

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.

Crl.Misc. No.M-32556 of 2015
Date of Decision : 19.10.2015

Navin Kumar @ Ninu

.....Petitioner

Vs.

State of Haryana

.....Respondent

...

CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

...

Present : Mr. S.S. Khurana, Advocate for the petitioner.
Mr. Pardeep Sharma, AAG, Haryana.

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1. To be referred to the Reporter or not ?
2. Whether the judgement should be reported in Digest ?

RAMESHWAR SINGH MALIK, J

Petitioner seeks bail pending trial in FIR No.72 dated 31.3.2015 under Sections 394, 397 IPC and Sections 25/54/59 of Arms Act registered at Police Station Bawal, Distt. Rewari.

Learned counsel for the petitioner submits that out of 16 PWs, 11 have been examined. Complainant has not supported the prosecution version. Many other witnesses have also not supported the prosecution story. In such a situation, petitioner is entitled for bail pending trial.

On the other hand, learned counsel for the State, on instructions from ASI, Rajesh Kumar, Police Station Bawal, Distt. Rewari, submits that since the petitioner has been found involved in two more similar cases, he is not entitled for bail pending trial. He prays for dismissal of the present petition.

Having heard learned counsel for the parties and after going through the record of the case, petitioner has been found entitled for bail pending trial. It is so said, because so far as the other cases are concerned, petitioner has already been acquitted by the courts of competent jurisdiction. In the present case, out of 16 PWs, 11 have already been examined and hardly anybody has supported the prosecution story, except the investigating officer. Further, since the prosecution evidence is still going on, conclusion of trial will take some time.

In view of the above and without commenting anything further on the merits of the case, lest it should prejudice the rights of either of the parties, instant petition is allowed. Petitioner is directed to be released on bail pending trial on his furnishing adequate bail bonds/surety bonds to the satisfaction of the learned trial court.

Disposed of, accordingly.

19.10.2015
GS

(RAMESHWAR SINGH MALIK)
JUDGE