

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No. M-37661 of 2014

DATE OF DECISION: 20.01.2015

Pawan @ Ponu

.....Petitioner

Versus

State of Haryana

.....Respondent

BEFORE:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

- 1. Whether reporters of local newspaper may be allowed to see judgment?**
- 2. To be referred to reporters or not?**
- 3. Whether the judgment should be reported in the Digest?**

Present:- Mr. Surinder Gandhi, Advocate
for the petitioner.

Mr. Deepak Sabharwal, Addl. A.G., Haryana.

DAYA CHAUDHARY, J.

The present petition under Section 439 Cr.P.C. has been filed for grant of regular bail to the petitioner in case FIR No. 61 dated 19.3.2014 registered under Section 342,395,412 IPC at Police Station Kundli, District Sonapat.

Learned counsel for the petitioner contends that name of the petitioner has not been mentioned in the FIR and he has been involved only on the basis of statement of co-accused, which is not admissible. Learned counsel further contends that statements of four material witnesses have been recorded and they have not supported the case of the prosecution. Learned counsel also contends that the petitioner is in custody since 13.5.2014 and there is no other case except one, wherein,

he is on bail.

Learned counsel for the respondent-State also admits that three material witnesses out of four have not supported the case of the prosecution.

In view of the submissions made by learned counsel for the petitioner and keeping in view the custody as well as the fact that three witnesses have not supported the case of the prosecution; the petitioner is in custody since 13.5.2014 and in another case he is on bail, the petition is allowed. Petitioner-Pawan @ Ponu is directed to be released on regular bail subject to his furnishing bail/surety bond to the satisfaction of trial Court.

However, in case the factum of bail in another case as stated by learned counsel for the petitioner is found to be false, the State is at liberty to move an application for cancellation of bail.

January 20, 2015
pooja

(DAYA CHAUDHARY)
JUDGE