IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M No. 37850 of 2015
Date of decision : December 17, 2015

Zafroo

..... Petitioner

v.

State of Haryana

..... Respondent

***

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

***

Present : Mr. KB Raheja, Advocate
for the petitioner.

Ms. Harpreet Kaur, AAG Haryana

***

1. **Whether Reporters of Local Newspapers 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 ?**

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Ajay Tewari, J (Oral)

The petitioner seeks grant of regular bail in case FIR No.396, dated 25.12.2014, registered under Section 364-A of the IPC, at Police Station Bhupani, District Faridabad.

On the last date, the following order was passed :-

> " Custody certificate by way of affidavit of Dinesh Yadav, Deputy Superintendent, District Jail, Faridabad has been filed. As per the same, the petitioner has undergone 11 months and 4 days.
>
> Counsel for the petitioner has pointed out that in order granting bail to the co-accused, the trial Court has noticed that both the victim and the complainant are not coming forward to give their evidence and in these circumstances the petitioner should be released on bail.
>
> Learned DAG Haryana, on instructions from ASI Des Raj, states that the matter is now fixed for

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High Court Chandigarh

11.12.2015 and this case be adjourned beyond that date since the prosecution is trying to get the victim and the complainant to give their testimony.

Adjourned to 17.12.2015."

Today, counsel for the respondent states that even on 11.12.2015, the victim and the complainant could not be produced to give their evidence.

In these circumstances, I see no reason to deny the benefit of bail to the petitioner. Without commenting upon the merits of the case, and keeping in view the period of custody already suffered by the petitioner, I do not deem it appropriate to deny the concession of regular bail to the petitioner. Bail to the satisfaction of the trial Court.

Petition stands disposed of.

(AJAY TEWARI)
JUDGE

December 17, 2015
`kk'

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