

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

Crl. Misc. No. M-40431 of 2014 (O&M)
Date of decision : 16.01.2015

OmbirPetitioner
versus

State of Haryana ...Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Harsh Kinra, Advocate, for the petitioner

Mr. C.S. Bakhshi, Addl.A.G. Haryana

RITU BAHRI , J. (Oral)

Crl. Misc. No. 1199 of 2015

Application is allowed as prayed for.

Accordingly, Annexures P-4 to P-6 are taken on record.

Main case

Prayer in this petition is for grant of regular bail to the petitioner, in a case arising out of FIR No. 308, dated 24.07.2014, registered at Police Station Badshahpur, Gurgaon, who has been booked for having committed the offence punishable under Sections 323/324/506/34 IPC (Section 307 IPC added later on).

At the very outset, learned counsel submits that all the prosecution witnesses i.e P.W.1-Sarvesh Devi, P.W-3 Himanshu and P.W.3 Yogesh dated 22.12.2014 have turned hostile who are the main witnesses.

On the last date of hearing, learned State counsel

instructions submits that after framing of charges, the trial is fixed for recording of prosecution evidence for 16.02.2015.

Today, learned State counsel on instructions submits that the trial is fixed for recording of evidence of 18 prosecution witnesses.

The petitioner is in custody since 12.08.2014.

I have heard the learned counsel for the parties and with their able assistance gone through the material available on record.

Keeping in view the period of incarceration of the petitioner and the fact that all the material witnesses have resiled from their statement, this court feels that there is no need to detain the petitioners any longer, Accordingly, the present petition is allowed. Petitioners are ordered to be released on bail during pendency of the trial of the present case, subject to their furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Gurgaon.

16.01.2015
G Arora

(RITU BAHRI)
JUDGE