

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-4107-2015 (O&M)
Date of decision : 12.02.2015

Pawan @ Moti

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Sushil Bhardwaj, Advocate for the petitioner.

Ms. Trishanjali Sharma, AAG, Haryana.
assisted by ASI Ramesh Kumar.

JITENDRA CHAUHAN, J.

The instant petition has been preferred under Section 439 Cr.P.C. seeking regular bail in case FIR No.85 dated 08.04.2013, registered under Sections 395, 397 of the Indian Penal Code and Section 25 of the Arms Act, registered at Police Station Taraori, Distt. Karnal.

It is contended that the recovery of the pistol was effected in FIR No.134 dated 07.06.2013, wherein, he stands already acquitted by the Court of learned Additional Sessions Judge, Karnal, vide judgment dated 24.02.2014. The State has not moved any petition assailing the judgment of acquittal. The petitioner is in custody since June 2013.

On the other hand, the learned State counsel, on instructions, submits that upon presentation of the challan against the accused, charges stands framed and out of eighteen prosecution witnesses, nine stand already examined.

Heard.

Keeping in view the facts that the petitioner stands acquitted in case FIR No.134 dated 07.06.2013, he is in custody since June 2013 and out of eighteen prosecution witnesses nine are yet to be examined, thus, the trial is not likely to be concluded in the near future, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, subject to his furnishing bail bonds and surety, to the satisfaction of the trial Court.

12.02.2015

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(JITENDRA CHAUHAN)
JUDGE