

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

**Criminal Misc.No.M-15259 of 2016 (O&M)
Date of Decision : 07th September, 2016**

Amit

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Vikas Sharma, Advocate
for the petitioner.

Mr. Satish Saini, DAG, Haryana
for the respondent(s)-State.

AJAY TEWARI, J. (Oral)

Petitioner has preferred the instant petition under Section 439 Cr.P.C., seeking regular bail in case FIR No.365 dated 28.10.2015, registered at Police Station Sadar Gohana, under Sections 364, 395, 506 IPC and Section 25 of the Arms Act.

On 27.07.2016, this Court passed the following order:-

“During the course of arguments, it transpires that complainant Joginder has already been examined.

Whether the petitioner has been identified, is not know to the counsel for the petitioner.

Let statement of Joginder and any other eye witness already recorded in the Court, be made available on the next date of hearing.

Adjourned to 07.09.2016.

Learned counsel for the petitioner asserts that the petitioner

Criminal Misc.No.M-15259 of 2016 (O&M)

-2-

being in custody since 28.10.2015, deserves to be released on bail.

On the other hand, learned State counsel, on instructions from Sub Inspector Azad Singh, states that the complainant is going to give his testimony definitely on the next date i.e. 04.10.2016.

In these circumstances, the instant petition is dismissed at this stage. However, it is directed that in case the complainant does not appear on 04.10.2016 before the learned trial Court to give his testimony, the petitioner be released on bail by the learned trial Court.

07th September, 2016

mamta

**(AJAY TEWARI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No