

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

CRM-M No.18147 of 2016
Date of decision: 10.08.2016

Sunil Kumar

.... Petitioner

versus

State of Haryana

.... Respondent

CORAM: HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Aman Pal, Advocate
for the petitioner.

Mr. Satish Saini, DAG, Haryana.

Ajay Tewari, J.(Oral)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.79 dated 03.03.2016 registered under Sections 148, 149, 323, 506, 307 IPC and 25, 54 and 59 of Arms Act at Police Station Sector 5, Panchkula.

On 29.07.2016, following order was passed:

"Reply by way of an affidavit of Mukesh Kumar, HPS, Assistant Commissioner of Police Headquarters Panchkula on behalf of the State has been filed in Court today. The same is taken on record. Copy thereof has been handed over to the learned counsel for the petitioner.

There are two bail applications filed on behalf of three persons.

Learned counsel for the petitioners submits that these are no injury cases and the accused have now been in custody for more than four months.

Learned counsel appearing on behalf of the complainant states that the matter is fixed for evidence on 8.8.2016 and two witnesses namely Naveen Kumar and Sunil Kumar are to be examined on that day. He further submits that thereafter the prayer for bail of these accused be considered.

I find it to be a fair request. In these circumstances, trial

court is directed to examine the aforementioned witnesses on the date fixed i.e. 8.8. 2016.

Adjourned to 10.8.2016.

A photocopy of the order be placed on file of connected case.”

It is stated that the petitioner is in custody since 07.03.2016.

Learned State counsel on instructions from SI Suraj Bhan has accepted that those two witnesses have since been examined.

In the circumstances, keeping in view the period of custody already suffered by the petitioner and without going into the merits of the case, I do not deem it appropriate to deny them the concession of bail.

Bail to the satisfaction of the Trial Court/Duty Magistrate, Panchkula.

Petition stands disposed of.

August 10, 2016
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(AJAY TEWARI)
JUDGE

1. Whether speaking/reasoned?

Yes/No

2. Whether reportable?

Yes/No