

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

CRM No.M-18502 of 2016 (O&M)

Date of decision: 09.08.2016

Sanju Malik

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Jagdish Manchanda, Advocate for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana
assisted by ASI Ranbir Singh.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in case FIR No.33, dated 01.02.2016, registered under Sections 379-A, 341 read with Section 34 IPC, at Police Station Pehowa, District Kurukshetra.

It is contended that the petitioner is not named in the FIR. He has been falsely implicated on the basis of disclosure statement of co-accused Raman. He further states that the complainant stands examined who has not supported the case of the prosecution. The petitioner is in custody since 07.02.2016.

On the other hand, the learned State counsel opposes the prayer of bail and submits that challan stands presented; charges have

been framed; out of total 14 PWs, only 04 have been examined so far.

I have heard learned counsel for the parties and perused the record.

Considering the fact that the complainant has not supported the case of the prosecution; out of total 14 prosecution witnesses, only 04 PWs have been examined so far, therefore, it can be safely inferred that 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, on his furnishing bail bonds and surety bonds, to the satisfaction of the trial Court.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

09.08.2016
sumit.k

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No