

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

CRM No.M-18936 of 2016 (O&M)

Date of decision: 09.08.2016

Sumit @ Bali

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Chand Ram Olla, Advocate for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana
assisted by ASI Rohtas Kumar.

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.800, dated 08.12.2015, registered under Sections 364-A, 341, 342 read with Section 34 IPC and Section 25 of Arms Act, at Police Station Sector-5 Gurgaon, District Gurgaon.

It is contended that the petitioner has been falsely implicated in the instant case. The complainant stands examined who has not supported the case of the prosecution. The petitioner was earlier in the employment of the complainant and he is not involved in any other FIR. The petitioner is in custody since 29.12.2015.

On the other hand, the learned State counsel opposes the prayer of bail and submits that the petitioner actively participated in

the commission of crime.

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 19 prosecution witnesses, only 01 PW has 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