

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

CRM No.M-29248 of 2016 (O&M)

Date of decision: 05.09.2016

Umang Sharma @ Vishu

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. J.S. Bedi, Sr. Advocate with
Mr. Sunil Sihag, Advocate and
Mr. Damandeep Singh, Advocate for the petitioner.

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

Mr. Govind Chauhan, Advocate for the complainant.

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 FIR No.330, dated 24.10.2014, registered under Sections 148, 323, 324, 302, 506 read with Section 149 IPC, at Police Station Mahesh Nagar Ambala, District Ambala.

The learned counsel for the petitioner contended that this is the 4th petition preferred by the petitioner on the ground that subsequent to the dismissal of three previous petitions preferred on behalf of the petitioner, the main accused Rahul Sharma has been admitted to bail by this Court, vide order dated 25.07.2016 (Annexure

P-2). He further states that no injury has been attributed to the petitioner. The only allegation against the petitioner is that the deceased was forcibly taken by the petitioner inside the house. The petitioner is in custody since 27.10.2014.

On the other hand, the learned State counsel opposes the prayer of bail and states that out of total 33 PWs, 24 have been examined and no material witness remains to be examined.

On the other hand, the learned counsel for the complainant submits that co-accused Rahul Sharma violated the terms & conditions of bail and a petition for cancellation of bail has been filed wherein notice of motion has already been issued.

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

Considering the fact that apart from the main accused Rahul Sharma, six other co-accused have already been enlarged on bail and the material witnesses have already been examined and further 09 PWs are yet to be examined, therefore, it can be safely inferred that the conclusion of trial will take a long time, 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.

Needless to mention that the violation of the bail order by co-accused Rahul Sharma will have no bearing on the merits of the

present petition. However, considering the fact that the FIR pertains to the year 2014, the trial Court is directed to make an endeavour to conclude the trial expeditiously.

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

05.09.2016
sumit.k

(JITENDRA CHAUHAN)
JUDGE

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