

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

CRM-M-41160-2016 (O&M)
Date of decision : 28.11.2016

Vijay @ Kaddu

...Petitioner

Versus

The State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Ashwani Verma, Advocate for the petitioner.

Mr. Naveen Kaushik, Addl.A.G., Haryana,
assisted by ASI Subhash Chand.

JITENDRA CHAUHAN, J. (Oral)

The instant petition has been preferred under Section 439 Cr.P.C. seeking regular bail in FIR No.355 dated 09.04.2015, registered under Sections 323, 324, 341, 506 and 307 read with Section 34 of the Indian Penal Code and Section 25 of the Arms Act, at P.S. City Hisar.

Learned counsel refers to Annexure P-3, the deposition of the complainant as PW-5, wherein, he has stated that the accused-petitioner was not the person who inflicted injuries on the person his person. The petitioner is in custody since 23.04.2015.

On the other hand, learned State counsel has opposed the instant petition. On instructions, learned State counsel submits the petitioner had been involved in three more FIRs wherein, he stands acquitted in two cases and has earned acquittal in one case. The trial is in progress and out of 16 prosecution witnesses, 3 have already been

ATUL SETHI
28.11.2016
I attest to the accuracy and
authenticity of this document
Chandigarh

examined.

Heard.

Keeping in view the fact that the complainant-respondent No.2 has not supported the case of the prosecution; the petitioner is in custody since 23.04.2015; and out of 16 prosecution witnesses, only 3 have been examined so far, therefore, it can safely be inferred that the 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.

However, anything noticed hereinabove shall not be construed as an expression of opinion on the merits of the case.

28.11.2016
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(JITENDRA CHAUHAN)
JUDGE

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