

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

CRM -M-10667 of 2017 (O&M)

Date of decision: 23.05.2017

Ashish

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Girish Agnihotri, Sr. Advocate with
Mr. Arvind Seth, Advocate for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.

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. 23 dated 30.01.2016, registered under Section 302 read with Section 34 of IPC, at Police Station Sadar Dadri, District Bhiwani.

It is contended that petitioner is a juvenile. Though as per FIR, the petitioner allegedly stabbed the deceased, husband of the complainant, however, in her deposition as PW-2 she totally exonerate the petitioner and has stated that the injury was caused by Sukhram Pal and Vikrant.

On the other hand, learned State counsel opposes the bail application and states that there is a specific recital qua the role of the petitioner. The complainant in an unambiguous term has specifically

stated that the petitioner stabbed deceased.

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

Considering the age of the petitioner and the fact that the most material witness i.e. the complainant stands examined who does not reiterate her assertion with regard to role of the petitioner; the investigation stands concluded; challan has been presented; out of total 14 PWs, only 04 PWs have been examined so far; 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 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.

23.05.2017

sumit.k

(JITENDRA CHAUHAN)
JUDGE

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