

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

**CRL. MISC. No.M-1580 OF 2017**  
**DATE OF DECISION : 16<sup>th</sup> MARCH, 2017**

**Sonu**

**.... Petitioner**

**Versus**

**State of Haryana**

**.... Respondent**

**CRL. MISC. No.M-7198 OF 2017**

**Sandeep @ Deepa**

**.... Petitioner**

**Versus**

**State of Haryana**

**.... Respondent**

**CORAM : HON'BLE MR. JUSTICE A. B. CHAUDHARI**

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Present : Mr. Surinder Singh Duhan, Advocate  
for the petitioner in CRM-M-1580-2017.

Mr. Ashwani Bhardwaj, Advocate  
for the petitioner in CRM-7198-2017.

Mr. G. S. Salwara, Deputy Advocate General, Haryana.

Mr. Krishan K. Chahal, Advocate for the complainant.

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**A. B. CHAUDHARI, J. (ORAL)**

The petitioners have filed these second petitions under Section 439 Cr.P.C. seeking regular bail in FIR No.218 dated 12.04.2014 registered under Sections 148, 149, 302, 452, 324, 326, 323, 307 and 506 IPC at Police Station Narnaund, District Hisar.

Heard learned counsel for the rival parties.

The petitioner-Sonu has been arrested on 13.04.2014 and petitioner Sandeep @ Deepa has been arrested on 20.08.2014. Thus the petitioners are in jail for about three years. The challan has been filed

and the trial has commenced. However for the last one year six months only one witness has been examined.

I have perused the deposition of the injured/witness PW-1, who in her examination-in-chief itself named the petitioners as assailants.

Learned State counsel submits that there are other witnesses who are yet to be examined and they can also name the present petitioners. He further submits that the trial is not proceedings due to the application under Section 319 Cr.P.C. which also succeeded partly up to this Court.

Be that as it may, for the delay whatever the reasons are, the same cannot be attributed to the petitioners and the petitioners should be allowed the concession of bail pending trial, particularly when there is no other criminal antecedent against the petitioners. However, care will have to be taken to protect the interest of the prosecution witnesses as well as the prosecution.

In that view of the matter, learned Counsel for the petitioners make statement on instructions from their respective clients that the petitioners will not enter the limits of village Kheri Jalab till trial is completed. Learned Counsel for the petitioners further submit that the petitioners will not apply for modification of the order till the trial is completed. The statement is accepted.

In that view of the matter I make the following order:

**ORDER**

- (i) The CRL. MISC. No.M-1580 OF 2017 and CRL. MISC. No.M-7198 OF 2017 are allowed

- (ii) The petitioners be released on bail to the satisfaction of the concerned CJM/Duty Magistrate.
- (iii) The petitioners shall not enter the limits of village Kheri Jalab, Tehsil Hansi, District Hisar till the trial is completed and also shall not apply for modification of this condition till the trial is concluded.
- (iv) The petitioners shall not tamper or influence the prosecution witness(es).
- (v) The prosecution shall make attempts to examine the remaining witnesses and complete the trial in any case within six months from today.
- (vi) The State will be at liberty to apply for cancellation of bail in case of any further commission of such type of offence by the petitioners.

**16<sup>th</sup> March, 2017**  
**‘raj’**

**(A. B. CHAUDHARI)**  
**JUDGE**