

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

**CRM No.M-19025 of 2017
Decided on: 30.05.2017**

Pawan Kumar

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MRS JUSTICE REKHA MITTAL

Present : Mr. S.S. Kharb, Advocate for the petitioner.

Ms. Dimple Jain, AAG, Haryana.

REKHA MITTAL, J. (Oral)

The petitioner prays for grant of regular bail under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.251 dated 19.07.2016, for offence punishable under Sections 302, 304-B read with Section 34 of the Indian Penal Code, 1860 (in short 'IPC') registered in Police Station Butana, District Karnal.

Counsel for the petitioner has submitted that the petitioner is in custody since 20.07.2016. The material witnesses in the case namely Ramesh son of Amar Singh, Karan Singh son of Mai Chand, maternal uncle of the deceased, Karam Singh and Babu Ram sons of Nakli Ram, uncle of the deceased were examined and they failed to support cause of the prosecution. It is further submitted that the petitioner is ready to face the proceedings, in accordance with law.

Counsel for the State has not disputed the factual assertions but opposed the prayer for bail.

I have heard counsel for the parties, perused the paperbook and the police records.

Counsel for the petitioner has placed on record testimonies of the aforesaid witnesses (Annexures P2 to P5). Perusal of the statements would reveal that material witnesses in the case have not supported cause of the prosecution and they were declared hostile. Conclusion of the trial may take some time.

Without meaning to express any opinion on merits of the controversy, bail to the petitioner subject to satisfaction of the trial Court. However, he shall remain bound by the following conditions:-

- (i) He shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer; and*
- (ii) He shall not leave India without the previous permission of the Court.*

30.05.2017
yakub

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No