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

CRM-M-2145 of 2017

Date of decision: March 02, 2017

Daya Ram

.....Petitioner

Versus

State of Haryana

.....Respondent

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

Present: Mr. P.S. Jammu, Advocate for the petitioner.

Ms. Tanushree Gupta, DAG Haryana.

Mr. Ravi K. Mattoo, Advocate for the complainant.

A.B. CHAUDHARI, J (Oral)

Written statement filed by learned counsel for the complainant, today in Court, is taken on record.

Heard learned counsel for the rival parties.

In FIR No.340 dated 09.11.2015, under Sections 420, 467, 468, 471, 506 of the Indian Penal Code, 1860, registered at Police Station City Dabwali, District Sirsa, the petitioner seeks regular bail.

Learned counsel for the petitioner, pointing out zimni orders submits that the complainant has not been appearing before the trial Court, though, he was bound-down, and therefore, the detention of the petitioner has become wholly unnecessary since the trial is not progressing. According to him, though, the petitioner had applied for anticipatory bail before this Court, which was rejected by this Court on 01.08.2016, he is entitled to apply for regular bail.

Learned counsel for the complainant opposes the present petition for grant of bail and also states that, though, he has not filed any civil suit, the complainant is entitled to prosecute his FIR as additional remedy.

Learned State counsel submits that the trial is now fixed for 14.03.2017.

It is expected of the complainant to appear before the trial Court and examine himself. Trial Court shall commence and complete the trial, in any case, by 30.04.2017 since it is the complainant who is main and material witnesses in the case.

Petition stands disposed of, accordingly reserving liberty in favour of the petitioner to apply for grant of regular bail, if the trial is not completed by 30.04.2017.

(A.B. CHAUDHARI)
JUDGE

March 02, 2017

mahavir

Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No