

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

Crl. Misc.M-24122 of 2017 (O&M)

Date of Decision: July 19, 2017

Sunil

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Jitender Nara , Advocate
for the petitioner.

Ms. Harpreet Kaur, AAG Haryana.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.321 dated 12.04.2016, under Sections 304-B, 34 of Indian Penal Code, registered at Police Station Jhajjar, District Jhajjar.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 20.04.2016. It is also contended that no further investigation is required in the matter, since the challan has already been presented. It is submitted that out of total 13 witnesses, only one has been examined. It is further submitted that co-accused Rajender has already been enlarged on bail vide order dated

26.04.2017 passed in CRM-M-13376 of 2017, therefore, petitioner is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, opposes the bail application, while submitting that the offence alleged against the petitioner is serious in nature, therefore, the petitioner is not entitled to grant of regular bail.

I have heard learned counsel for the parties.

Since, the trial is likely to take some time and in view of the facts that no recovery is to be effected from the petitioner, he is not required for any further investigation and that co-accused has already been enlarged on bail, no useful purpose would be served in keeping the petitioner behind the custody. Therefore, at this stage, without commending on the merits of the case, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate.

July 19, 2017

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(JAISHREE THAKUR)

JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No