

**CRM-M-30871-2016 and
CRM-M-39903-2016**

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

**CRM-M-30871-2016
Date of Decision: 16.03.2017**

Sombir

.....Petitioner

vs.

State of Haryana

.....Respondent

2. CRM-M-39903-2016

Vijay Kumar

...Petitioner

vs.

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

**Present: Mr. Anshuman Dalal, Advocate,
for the petitioner (in CRM-M-30871-2016).**

**Mr. Raman Chawla, Advocate,
for the petitioner (in CRM-M-39903-2016).**

Mr. Sharad Kumar Yadav, D.A.G., Haryana.

AMOL RATTAN SINGH, J. (ORAL)

These petitions have been filed under Section 439 Cr.P.C., for grant of 'regular bail' to the petitioners in case FIR No. 21 dated 12.02.2016, registered at Police Station Siwani, District Bhiwani, for the alleged commission of an offence punishable under Sections 302 read with Section 34 IPC.

Learned counsel for the petitioners submit that the petitioner (in

CRM-M-30871-2016, i.e. Sombir) has been in custody since February 2016

and the petitioner in CRM-M-39903-2016, i.e. Vijay Kumar, has been in custody since March 2016.

Out of 23 prosecution witnesses, 05 are stated to have been given up and out of the remaining 18 witnesses only 07 have been examined so far, with the complainant, who is also the alleged eye witness, not having turned up in answer to summons issued to him and with the trial Court also not taking any effective steps to ensure the presence of at least the eye witness.

Keeping in view the aforesaid, as also the fact that the FIR is stated to have been lodged 26 hours after the occurrence took place, but without making any further comment on that issue, which would be considered wholly on merits by the trial Court, the petitions are allowed. The petitioners shall be admitted to bail upon their furnishing adequate bail bonds and surety bonds to the satisfaction of the trial Court.

**(AMOL RATTAN SINGH)
JUDGE**

March 16, 2017
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Whether speaking/reasoned	Yes
Whether Reportable	No.