

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-33316-2017

Date of Decision:13.11.2017

Mohit @ Dhori

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

**Present: Mr. Virender Soni, Advocate,
for the petitioner.**

Mr. Manish Bansal, D.A.G., Haryana.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.64 dated 08.02.2017 under Sections 379-B, 392, 394, 395 IPC and Section 25 of the Arms Act, registered at Police Station Sampla, District Rohtak.

Learned counsel for the petitioner states that in the case in hand, complainant-PW6 Balwan has not supported the prosecution version and accordingly, other co-accused, namely, Rocky has been admitted on regular bail by the learned Additional Sessions Judge, vide order dated 26.10.2017. The petitioner is in custody since 23.03.2017 and no recovery has been effected from him. The trial will take long time.

Learned State counsel states that trial in this case is now at advanced stage. Out of fifteen witnesses as cited by the prosecution, twelve witnesses have already been examined and the case is now fixed for

evidence of the remaining witnesses on 13.12.2017. The witnesses which are required to be examined are mainly official witnesses.

Having heard learned counsel for the parties and considering the fact that the petitioner is in custody since 23.03.2017, coupled with the fact that the other co-accused namely, Rocky has been admitted on regular bail by the learned trial court, vide order dated 26.10.2017 and complainant-PW6 Balwan has not supported the prosecution version, I deem it appropriate to release him on regular bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail, subject to furnishing of his bail bonds/heavy surety bonds to the satisfaction of trial Court. The petitioner shall furnish an undertaking that he shall not commit such offence in future. In case, he is found indulged in any offence or extend threat to the complainant or other witnesses, his bail bonds shall liable to be cancelled.

However, it is made clear that the observations made hereinabove shall not be construed as an expression on the merits of the case. The trial Court shall proceed with the trial without being influenced by the order of bail passed by this Court.

November 13, 2017
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No