

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

CRM No.M-4933-2017 (O&M)

Date of decision: 21.02.2017

Rajbir

...Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present : Mr. Amit Khatkar, Advocate for the petitioner (s).

Mr. Saurabh Mohunta, DAG, Haryana

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in FIR No.413 dated 18.05.2016, registered under Sections 307, 302 and 120-B of the Indian Penal Code (for short 'the IPC') and Section 25 of the Arms Act, at Police Station Sadar Hisar.

Contents that as per the prosecution case, deceased, Sant Lal was shot at by three persons including son of the petitioner, namely, Kuldeep. Except the fact that the petitioner is father of co-accused, Kuldeep, no role has been ascribed to the petitioner in the FIR and there is no evidence except the disclosure statement of Krishan against the petitioner. The petitioner is in custody since 19.05.2016. The learned counsel further informs that Court of learned Addl. Sessions Judge, Hisar has wrongly reflected the date of FIR as 18.05.2015 instead of 18.05.2016. The learned

State counsel also admits that FIR is of 18.05.2016 instead of 18.05.2015. It appears to be a typographical error, therefore, it is clarified that the date of FIR shall now be read as 18.05.2016.

On the other hand, the learned State counsel informs that challan has been filed and out of 34 prosecution witnesses, 7 prosecution witnesses have been examined so far.

Heard.

Considering the facts that the petitioner is in custody since 19.05.2016; challan has been presented; no role has been ascribed to the petitioner in the FIR; out of 34 prosecution witnesses, only 7 prosecution witnesses have been examined so far, trial is likely to take a long time, therefore, no purpose would be served in keeping the petitioner behind the bars, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, on his furnishing bail bonds and surety bonds, to the satisfaction of the trial Court, concerned.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

21.02.2017

ashok

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned: Yes / No

Whether reportable: Yes / No