

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

CRM -M-13670 of 2018 (O&M)

Date of decision: 26.04.2018

Harbans

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Ravi Sodhi and Mr. M.M. Pandey, Advocates
for the petitioner.

Mr. Ripudaman, AAG, Haryana
assisted by ASI Balwant.

Jitendra Chauhan, J. (Oral)

This is second bail petition filed under Section 439 of the Code of Criminal Procedure for grant of regular bail in FIR No. 70 dated 10.05.2017, registered under Sections 304-B, 406, 498-A read with Section 34 of IPC, at Police Station Sadar Sirsa, District Sirsa.

It is contended that the petitioner is the married brother-in-law of the deceased and maintaining a separate household as is made out from Annexure P-1, the certificate issued by Gram Panchayat, Jhorarnali. The complainant, Darshan Singh as well as sister of the deceased who is married to brother of the petitioner have already been examined. The petitioner is in custody since 13.05.2017.

On the other hand, the learned State counsel opposes the bail petition.

Heard.

This is the second bail application. The first bail application was dismissed as withdrawn, vide order dated 20.11.2017 (Annexure P-5). Considering the fact that the material witnesses have been examined; out of total 20 PWs, only 08 PWs have been examined so far; the examination of the complainant and sister of the deceased in the interregnum period is a circumstance in favour of the petitioner. Without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of trial, on his furnishing bail bonds and surety bonds to the satisfaction of CJM/Duty Magistrate/trial Court.

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

26.04.2018
sumit.k

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No