

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

**Criminal Misc. No. M-14651 of 2018
Date of decision: 12.10.2018**

Sanjeev @ Sanju

..Petitioner

Versus

State of Haryana

..Respondent

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Mr. Anshumaan Dalal, Advocate
for the petitioner.

Ms. Tanushree Gupta, DAG, Haryana
for the respondent -State.

Daya Chaudhary, J. (Oral)

This petition has been filed by petitioner-Sanjeev @ Sanju under Section 439 Cr.P.C. for grant of regular bail in case FIR No.497 dated 11.12.2014 registered under Section 302 read with Section 34 IPC and Section 25 of the Arms Act at Police Station Sadar Bahadurgarh, District Jhajjar.

Learned counsel for the petitioner submits that the petitioner is in custody since the date of lodging of the FIR i.e. 11.12.2014. All material witnesses including complainant and eye witness have been examined and only formal witnesses remain to be examined. The trial may take some time to conclude and no purpose would be served by keeping the petitioner in custody. Learned counsel also submits that the petitioner is ready to abide by all terms and conditions to be imposed by this Court or by the trial Court.

Learned State counsel has not disputed the custody period as

well as examination of material witnesses including complainant and eye witness. However, learned State counsel submits that out of total 19 prosecution witnesses, 12 witnesses have been examined and the date fixed before the trial Court is 29.10.2018.

Heard arguments of learned counsel for the petitioner as well as learned State counsel and have also perused the contents of the FIR and other documents available on the file.

In view of the submissions made by learned counsel for the petitioner and by considering that the petitioner is in custody since the date of lodging of the FIR i.e. 11.12.2014; all material witnesses including complainant and eye witness have been examined; the trial may take time to conclude; no purpose would be served by keeping the petitioner in custody; and he undertakes not to tamper with the evidence or influence the witnesses, the present petition is allowed and petitioner, namely, Sanjeev @ Sanju is directed to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court.

However, the petitioner is directed not to tamper with the evidence or influence the remaining witnesses. He is also directed to report to concerned Police Station of the area of his residence twice in a month.

12.10.2018
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(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned

Yes

Whether Reportable

Yes