

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

CRM-M No.16013 of 2018
DATE OF DECISION:05.10.2018

Ashok Kumar

...Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Mr. Amit Khatkar, Advocate
for the petitioner.

Mr. Chetan Sharma, AAG, Haryana.

DAYA CHAUDHARY, J.(ORAL)

Through the present petition filed under Section 439 Cr. P.C., the petitioner seeks regular bail in case FIR No.238, dated 08.12.2017, registered under Sections 323, 452, 506, 307 IPC and 25/54/59 of Arms Act, 1959 at Police Station Chhapar, District Yamuna Nagar.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in the case whereas he was not involved. It is a case of no injury and the allegations in the FIR are contradictory. Petitioner is in custody since 08.12.2017. Not only the investigation has been completed but all material witnesses have been examined including complainant and two eye witnesses. Pws Gian Chand, Harjinder Singh and Karuna have been given up and complainant namely Renu and eye witness Pankaj Sharma have been examined.

Learned State counsel has not disputed the custody period but opposes bail on the ground of seriousness of offence.

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

By considering that the petitioner is in custody since 08.12.2017 and also the fact that complainant and two eye witnesses have been examined whereas two eye witnesses have been given up, meaning thereby all eye witnesses have been examined. The trial of the case may take some time to conclude and no purpose would be served by keeping the petitioner behind the bars, the petition is allowed. The petitioner, namely, Ashok Kumar is directed to be released on regular bail on furnishing bail/surety bonds to the satisfaction of the trial Court.

05.10.2018
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(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No