

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

Crl. Misc.M-21344-2018 (O&M)
Date of Decision: July 26, 2018

Kulwant

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Ranvir S. Chauhan, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.401 dated 25.10.2016, under Sections 301, 34, 506, 511, 376 of Indian Penal Code, registered at Police Station Shivaji Colony, Rohtak.

Learned counsel for the petitioner contend that the petitioner herein was taken into custody in the aforesaid FIR on 25.10.2016. It is submitted that the petitioner has been falsely implicated in the present case. It is argued that the allegations as set out in the instant FIR qua the petitioner herein are not sustainable while further arguing that the material witnesses has since been examined and that the conclusion of trial will take sufficient time, therefore, the petitioner's custody is no longer required and

he is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, oppose the grant of regular bail to the petitioner, while submitting that offences alleged against the petitioner are serious in nature ,however, she does not dispute the fact that the material witnesses has been examined.

I have heard learned counsel for the parties.

Since, the trial is likely to take some time and in view of the facts that that the petitioner herein has been in custody since 25.10.2016 and that the material witnesses have since been examined, while also taking note of the fact that the allegations set out qua the petitioner herein are not sustainable, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without expressing any opinion on the merits of the case, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate.

July 26, 2018
seema

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No