

Crl. Misc. No. M-21853 of 2017 (O&M)

(1)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No. M-21853 of 2017 (O&M)

DATE OF DECISION:12.07.2018

Dalip

.....Petitioner

Versus

State of Haryana

.....Respondent

BEFORE:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. Rakesh Dhiman, Advocate
for the petitioner.

Mr. Kuldeep Tiwari, Addl. A.G., Haryana.

DAYA CHAUDHARY, J.

The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No. 718 dated 22.12.2016 registered under Sections 323,452,506 IPC and Sections 302 and 120-B IPC (added later on) at Police Station City Palwal, District Palwal.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR and even the complainant has not uttered even a single word against the petitioner in his statement recorded before the trial Court. Co-accused of the petitioner, namely, Krishna Wati @ Khajanti approached this Court for grant of regular bail by way of filing Crl. Misc. No. M-15288 of 2017, which was allowed on 8.5.2017. Learned counsel further submits that on 2.12.2017, the case was adjourned on the request made by learned

State counsel on the ground that one material witness i.e. father-in-law of the complainant is yet to be examined. Learned counsel also contends that father-in-law of the complainant has been examined and the petitioner is in custody for the last about one year and seven months and still four witnesses remains to be examined and trial will take some time to conclude.

Learned counsel for respondent-State opposed the submissions made by learned counsel for the petitioner but has not disputed the custody period of the petitioner, stage of the trial and the factum of release of co-accused on regular bail.

Keeping in view the role of the petitioner, custody period and also the fact that co-accused of the petitioner has already been released on regular bail, the present petition is allowed. Petitioner-Dalip is directed to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of trial Court.

July 12, 2018
pooja

(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No