

Anil

.....Petitioner

versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTALPresent: Mr. Manoj Sharma, Advocate
for the petitioner

Mr. D.R. Singla, DAG Haryana

Sudhir Mittal, J. (Oral)

The petitioner seeks grant of regular bail in case FIR No. 44 dated 24.02.2018 under Section 304 IPC registered at Police Station Civil Lines, Sonapat, District Sonapat.

Learned counsel for the petitioner submits that the petitioner has been in custody since 24.02.2018. Although most of the PWs stand examined, the trial is not likely to be concluded at an early date as one PW is absconding. The prosecution is waiting for producing him before the Court. The other prosecution witnesses have not supported the case of the prosecution. The case is false because prior to the registration of the present FIR, the petitioner had lodged an FIR against the deceased person and another for having snatched his mobile phone. While running away, the motorcycle of the deceased person struck against the electric pole, resulting in his death.

The prayer for bail is opposed by learned State counsel on the ground that there is one more criminal case pending against the petitioner. He is, however, not aware whether the petitioner is on bail in the said case or not. It is, however, not disputed that one PW is absconding and that the trial is getting delayed on account of this fact.

In view of the aforementioned facts and circumstances of this case, it would be just and appropriate to release the petitioner on regular bail.

Accordingly, the petition is allowed and the petitioner is directed to be released on regular bail on his furnishing proportionately heavy surety/security subject to the satisfaction of the trial Court concerned.

November 20, 2018

reena

[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No