

CRM-M-29542-2018

Date of Decision:10.08.2018

Suraj Deshwal

.....Petitioner

Vs.

State of Haryana

....Respondent

CORAM : HON'BLE MR.JUSTICE AMOL RATTAN SINGH

Present: Mr.J.S.Bedi, Sr. Advocate with
Mr.Sunil Sihag, Advocate
for the petitioner.

Mr.Pawan Kumar Jhanda, AAG, Haryana assisted by
SI Satbir Singh.

AMOL RATTAN SINGH, J. (Oral)

Though SI Satbir Singh from Police Station Sadar, Bahadurgarh, who is ostensibly here to assist learned State counsel, knows nothing of the testimonies of the prosecution witnesses, Mr.Bedi learned senior counsel appearing for the petitioner, points to the testimony of the complainant Shamme Ram (PW1), as also of four other witnesses (testimonies of PW1 to PW3 being on record and those of PW4 and PW5 having been produced in Court today by learned counsel), to submit that all the material witnesses have turned hostile and have not supported the case of the prosecution against the petitioner, who is stated to be a 19 year old student with no other criminal record standing against him.

On query, learned State counsel on instructions submits that 17 other prosecution witnesses still remaining to be examined, all of whom are stated to be police/government officials.

That being so, and the petitioner having been in custody for about 6 months now, without making any comment on the actual merits of the case for or against the petitioner, which would be gone into by the trial Court wholly on the basis of evidence led before it, I consider it appropriate to allow this petition and direct that the petitioner be admitted to bail, upon his furnishing adequate bail and surety bonds to the satisfaction of the trial Court.

Disposed of.

A copy of this order be sent to the Superintendent of Police, Jhajjar, for him to call for the explanation of the Sub-Inspector who has come to Court today without verifying even basic facts, as aforesaid.

(AMOL RATTAN SINGH)
JUDGE

August 10, 2018.

dharamvir/dinesh

Whether speaking/reasoned : YES/NO
Whether Reportable : YES/NO