

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

211

CRM-M-318-2018

Date of decision: 23.02.2018

Pardeep

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Raghav Goel, Advocate
for the petitioner.

Mr. Munish Sharma, AAG, Haryana.

SUDHIR MITTAL, J (ORAL)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail in case FIR No.628 dated 02.10.2016, registered under Sections 302/349/120-B IPC and Section 25 of the Arms Act, 1959 at Police Station Samalkha, Panipat.

Learned counsel for the petitioner contends that the complainant was not an eye-witness to the crime and, thus, was not in a position to name the petitioner as an accused. He also relies upon the statement of PW-2 and PW-3, i.e. brother of the complainant and the father of the complainant respectively, to submit that neither of them has named the petitioner to be responsible for the crime. The petitioner has been in custody since 04.10.2016 and the trial is not likely to conclude at any time in the near future.

The case had been adjourned for today to see how the trial has progressed. On 15.01.2018, six out of twenty two PWs have been examined. Today, learned State counsel, on instructions from ASI Mukesh

Kumar, submits that eleven out of twenty two PWs have been examined.

It does appear that the trial may not conclude at an early date as 11 more PWs have yet to be examined. May be the defence would also lead some evidence.

In this view of the matter and in view of the evidence available on record as on date, the petitioner deserves to be released on regular bail.

Accordingly, the petition is allowed and the petitioner is directed to be released on bail subject to his furnishing bail and surety bonds to the satisfaction of the trial Court at Panipat.

23.02.2018

Dinesh

(SUDHIR MITTAL)
JUDGE

Whether speaking/non-speaking? Yes/No

Whether reportable? Yes/No