

CRM-M-33091 of 2018

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

CRM-M-33091 of 2018
Date of decision: 05.12.2018

Gaurav @ Rahul

.....Petitioner

versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. Sumit Gupta, Advocate, for the petitioner.
Mr. Munish Sharma, AAG, Haryana.

RAMENDRA JAIN, J. (ORAL)

Through this petition under Section 439 Cr.P.C. prayer has been made for grant of regular bail to the petitioner in a case arising from FIR No.317 dated 13.09.2016 registered under Sections 302/34 IPC at Police Station Madhuban, District Karnal.

Petitioner is facing trial in the aforesaid case for committing murder of one Deepak.

Learned counsel for the petitioner *inter alia* contends that none of the material witnesses examined by the prosecution has supported the prosecution story qua petitioner, who is in custody since 14.09.2017. Petitioner was falsely implicated on the alleged disclosure statement of co-accused Mannu, which is a very weak type of evidence. Even no recovery was effected from the petitioner. Conclusion of trial may take a sufficient long time. No useful purpose would be served by detaining the petitioner in jail any more.

On the other hand, learned State counsel vehemently opposed

the grant of regular bail to the petitioner.

Considering overall facts and circumstances, but without

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expressing any opinion on the merits of the case, the petition is allowed. Consequently, petitioner is ordered to be released on bail during pendency of trial, on his furnishing bail bonds and surety bonds to the satisfaction of Trial Court/Duty Magistrate concerned.

(Ramendra Jain)
Judge

December 05, 2018
R.S.

Whether speaking/reasoned Yes/No

Whether reportable Yes/No.