

Saleem

.....Petitioner

versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Mr. Vishal Nehra, Advocate
for the petitioner

Mr. M.D. Sharma, AAG Haryana

Sudhir Mittal, J. (Oral)

The petitioner seeks grant of regular bail in case FIR No. 114 dated 23.08.2017 under Sections 201, 302, 34 IPC, registered at Police Station Bapoli, District Panipat.

The petitioner is accused of murdering his wife by burning her.

Learned counsel for the petitioner submits that the complainant himself has resiled from his statement made before the police at the time of the trial. The petitioner has been in custody since 26.08.2017 and the trial is not likely to be concluded at an early date as large number of PWs still remained to be examined.

Learned State counsel opposes the prayer on the ground that the complainant has been confronted with his statement made before the police, during cross-examination. It is, however, not disputed that nine more PWs remain to be examined.

Custody certificate dated 23.09.2018 has been produced in the Court. According to the said certificate, the petitioner has undergone actual custody of one year and twenty eight days and there is no other criminal case pending against him.

Keeping in view the fact that the complainant himself has resiled from his statement made before the police as well as the fact that the trial is not likely to be concluded at an early date, I deem it appropriate to grant regular bail to the petitioner.

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

September 25, 2018

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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No