

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

CRM-M-38260-2018 (O&M)

Date of Decision: December 19, 2018

Suresh and another

...Petitioners

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Parminder Singh, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioners in case FIR No.160 dated 29.04.2018, under Sections 306, 34 of Indian Penal Code, registered at Police Station Indri, District Karnal.

Learned counsel for the petitioner contends that the petitioners herein were taken into custody in the aforesaid FIR on 02.05.2018. It is submitted that the petitioners have been falsely implicated in the present case. It is also contended that the statement of the material witnesses has been recorded and that the conclusion of trial will take sufficient time, therefore, the petitioners are entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-

State, on instructions from the Investigating Officer, oppose the grant of regular bail to the petitioners, while submitting that offences alleged against the petitioners are serious in nature, however, she does not dispute the fact that the statement of the material witnesses have been recorded and that one of the material witness have resiled.

I have heard learned counsel for the parties.

Since, the trial is likely to take some time and in view of the facts that that the petitioners herein have been in custody since 02.05.2018 and that statement of the material witnesses has been recorded and that one of the material witness have resiled and that there are discrepancies in the statements that have been recorded, no useful purpose would be served in keeping the petitioners behind bars. At this stage, without expressing any opinion on the merits of the case, the instant petition is allowed and the petitioners are directed to be released on regular bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate.

December 19, 2018

seema

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No