

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

Crl. Misc. M-38546 of 2018 (O&M)
Date of Decision: October 01, 2018

Vijay

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Anshul Khurana, Advocate
for the petitioner.

Mr. P.P. Chahar, DAG Haryana.

JAISHREE THAKUR, J. (Oral)

The instant second petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.390 dated 27.09.2017, under Sections 306/34 of Indian Penal Code, registered at Police Station Sadar Sonipat, District Sonipat.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 17.01.2018. It is argued that the allegations as set out in the FIR are patently false, while arguing that there are discrepancies in the statement of the complainant that has been recorded, apart from making improvements therein. It is also contended that out of total 19 witnesses, 03 witnesses, including the material witnesses, have been examined and conclusion of trial will take

sufficient time, therefore, the petitioner is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, opposes the grant of regular bail to the petitioner, however, does not dispute the fact that out of total 19 witnesses, 03 witnesses, including the material witnesses have been examined. s

I have heard learned counsel for the parties.

Since, the trial is likely to take some time and in view of the facts that the petitioner herein has been in custody since 17.01.2018 and that material witnesses have been examined, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without commenting on the merits of the case, the instant petition is allowed and the petitioner is 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.

October 01, 2018

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(JAISHREE THAKUR)

JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No