

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

CRM-M-3944 of 2018

Date of Decision: 08.03.2018

Vikas

....Petitioner

Versus

State of Haryana

....Respondent

CORAM:HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Rahul Deswal, Advocate
for the petitioner.

Mr. Vikas Malik, DAG, Haryana..

MAHABIR SINGH SINDHU, J.(Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.939 dated 11.10.2016 registered under Sections 148, 149, 302, 341, 120-B of the Indian Penal Code and Sections 25, 54, 59 of the Arms Act registered at Police Station Karnal Sadar, District Karnal.

Learned counsel for the petitioner contends that the petitioner is in custody since 14.10.2016 and even the complainant as well as the eye witness both have not supported the prosecution case and no useful purpose will be served by keeping the petitioner behind the bars.

The above factual position is not disputed by learned State counsel.

Heard learned counsel for the parties and perused the case file.

Paper book reveals that the testimony of PW-6 Pawan

Kumar, who is the real brother of the deceased and who happened to be the complainant as well as eye witness has specifically deposed that the present petitioner-Vikas had never caused any injury to his brother-since deceased. Similarly PW-7 Sohan Lal again stated to be an eye witness, has also deposed that petitioner did not cause any injury to the deceased-Sawan.

There are total 17 PW's and only eight have been examined till date. Thus, when material witnesses are not supporting the prosecution case, no useful purpose would be served by keeping the petitioner behind the bars any more.

In view of the abovesaid circumstances, without expressing any opinion on the merits of the case, this petition is accepted. Petitioner-Vikas be admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of the learned trial Court.

Petition stands disposed off.

[MAHABIR SINGH SINDHU]
JUDGE

March 08, 2018
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Whether speaking/reasoned
Whether reportable?

yes/no
yes/no