

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

Crl. Misc. M-41330 of 2017 (O&M)
Date of Decision: August 01, 2018

Som Dutt and another

...Petitioners

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Ms. Deepshikha Chauhan, Advocate
for the petitioners.

Ms. Gaganpreet Kaur, AAG Haryana.

Mr. Randeep Singh, Advocate
for the complainant.

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.269 dated 24.08.2017, under Sections 306, 506, 34 of Indian Penal Code, registered at Police Station Nissing, Karnal.

Learned counsel for the petitioners contends that the petitioners herein were taken into custody in the aforesaid FIR on 26.08.2017 and 02.09.2017 respectively. It is submitted that the petitioners have been falsely implicated in the present case. It is argued that examination-in-chief of the complainant has been recorded and now the matter is pending for consideration on the application moved by the prosecution under Section

319 Cr.P.C. to summon the other persons as accused to face the trial. It is also contended that 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 and counsel for the complainant oppose the grant of regular bail to the petitioners, however, do not dispute the fact that examination-in-chief of the complainant has been recorded and now the matter is pending for consideration on the application moved under Section 319 Cr.P.C.

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 petitioners herein have been in custody since 26.08.2017 and 02.09.2017 respectively, that the examination-in-chief of the complainant has been recorded and that the matter is now pending for consideration on the application moved under Section 319 Cr.P.C. , no useful purpose would be served in keeping the petitioners behind bar. At this stage, without commenting 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.

August 01, 2018
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No