

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

Crl. Misc.M- 44157-2017 (O&M)

Date of Decision: August 02, 2018

Harvinder Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Rahul Mohan, Advocate
for the petitioner.

Mr. P.P.Chahar, DAG, Haryana.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail pending trial in case FIR No. 379 dated 30.04.2017 under Sections 120-B and 304-B of Indian Penal Code registered at Police Station Sadar, Karnal, District Karnal.

Learned counsel for the petitioner contends that the allegations as set out in the FIR are not sustainable and the petitioner has been falsely implicated in the present case and the petitioner is in custody since 30.04.2017. It is also contended that the material witnesses have since been examined and the conclusion of trial will take sufficient time, therefore, the petitioner's custody is no longer required and he 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, while submitting that offences alleged against the petitioner are serious in nature, however, he does not dispute the fact that the material witnesses have since been examined. This Court is also informed that out of 16 witnesses, only 05 have been examined.

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 petitioner herein has been in custody since 30.04.2017 and that that the material witnesses have since been examined, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without expressing any opinion 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.

August 02, 2018

seema

**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No