

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

210

CRM-M-44738-2018(O&M)

Date of Decision : 10.08.2018

Ajay @ K.B

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE P.B.BAJANTHRI

Present: Mr. Sumit Gupta, Advocate,
for the petitioner.
Mr. R.K. Doon, AAG, Haryana.
Mr. Rajesh Dhiman, Advocate,
for the complainant/respondent.

P.B. BAJANTHRI, J.(ORAL)

In the instant petition, petitioner has sought for regular bail under the provision of Section 439 Cr.P.C. in case FIR No.820 dated 14.08.2015 under Sections 148, 149, 341, 302, 216, 120-B of IPC registered at Police Station Jhajjar.

2. Learned counsel for the petitioner vehemently submitted that petitioner is in custody since 14.08.2015. It is submitted that Jitender @ Pappu who is co-accused had granted the benefit of interim bail for stipulated period, which was misused.

3. Learned counsel for the respondent/complainant submitted that co-accused Jitender @ Pappu has violated the bail and he is absconding. Therefore, petitioner is not entitled for regular bail. Learned State counsel further states that out of 40 witnesses 20 witness have been already examined. At the same time learned State counsel has submitted that petitioner is not involved in any other case.

4 Heard learned counsel for the parties.

5. Having heard to the fact that petitioner is in custody since 14.08.2015 and conduct of the co-accused, namely, Jitender @ Pappu, Balwant Singh in violating interim bail could not be hurdle for the petitioner. 20 witnesses were examined out of 40. To examine remaining witnesses, it requires some time and in view of the fact that petitioner is not involved in any other case, therefore, he is entitled for regular bail. Without expressing any opinion on the merits of the case, the instant petition is allowed. Petitioner, namely, Ajay @ K.B is ordered to be released on regular bail on his furnishing bonds to the satisfaction of concerned Chief Judicial Magistrate/Duty Magistrate.

6. However, the petitioner shall not in any way indulge in any criminal activities and he shall also not influence the witnesses or other wise interfere with the fair trial.

10.08.2018

neeraj

(P.B.BAJANTHRI)
JUDGE

Whether speaking/reasoned?

Yes/ No

Whether reportable?

Yes / No