

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No. M-4604 of 2018

DATE OF DECISION:06.09.2018

Jagat Pal @ Jagat Singh

.....Petitioner

Versus

State of Haryana

.....Respondent

BEFORE:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. KS Godara, Advocate
for the petitioner.

Mr. Manish Dadwal, AAG, Haryana.

DAYA CHAUDHARY, J.

The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to petitioner in case FIR No. 127 dated 15.10.2016 registered under Sections 302/201 IPC at Police Station Odhan, District Sirsa.

Learned counsel for the petitioner contends that all the material witnesses have been examined and the petitioner is in custody since 19.10.2016, which comes approximately to one year and eleven months. Learned counsel further contends that remaining witnesses are official witnesses and there is no likelihood that the petitioner may influence them or tamper with the evidence. The case is based on circumstantial evidence as the dead body of an unknown lady was found in the fields in a totally damaged condition, which could not be identified by the police. Even the

husband of the deceased while appearing before the trial Court has not made any suspicion. Learned counsel further contends that the petitioner is ready to appear before the trial Court on each and every date and to abide by all the terms and conditions to be imposed by this Court or by the trial Court. Learned counsel also contends that the petitioner is having no criminal background as no other case is pending against him.

Learned counsel for the respondent-State has not disputed the custody period as well as stage of the trial.

Without commenting anything on the merits of the case and by considering the submissions made by learned counsel for the petitioner that the petitioner is in custody for the last approximately one year and eleven months; all the material witnesses have been examined; remaining witnesses are official witnesses; trial may take long time to conclude and no purpose would be served by keeping him behind the bars, the present petition is allowed. Petitioner-Jagat Pal @ Jagat Singh is directed to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court.

The trial Court may also impose any other condition upon the petitioner while releasing him on bail.

September 06, 2018
pooja

(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No