

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-47410 of 2017

.....

Date of decision:16.7.2018

Afsarali

...Petitioner

v.

State of Haryana

...Respondent

.....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Ms. Savita Rana, Advocate for Mr. S.P.S. Sidhu, Advocate for the petitioner.

Mr. Sukhdeep Parmar, Deputy Advocate General, Haryana for the respondent-State.

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Inderjit Singh, J.

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail in cross-version case registered on the statement of Bilal in case FIR No.186 dated 9.4.2017 registered for the offences under Sections 302, 307 and 34 IPC and Sections 25 and 27 of the Arms Act at Police Station Gharaunda, District Karnal.

Notice of motion to Advocate General, Haryana.

Mr. Sukhdeep Parmar, learned Deputy Advocate General, Haryana has put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as learned State counsel appearing for the respondent-State and have gone through the record.

From the record, I find that it is a case of version and cross-version and it is yet to be determined as to who was the aggressor party. The cross-version has been registered against the present petitioner on the statement of Bilal.

At the time of arguments, it is admitted that the complainant as well as other material private witnesses have turned hostile. The petitioner has been in judicial custody since 19.4.2017. The trial of the case is likely to take long time. No useful purpose will be served by keeping the petitioner in custody till the final disposal of the case specially in view of the fact that the complainant as well as other material private witnesses have turned hostile.

Therefore, keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bond in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

However, nothing stated above will constitute my opinion on the merits of the case.

July 16, 2018.

(Inderjit Singh)
Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No