

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

Crl. Misc.M- 47989-2017 (O&M)

Date of Decision: August 07, 2018

Sunit Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Anupam Gupta, Sr. Advocate with
Mr. Krishan Singh, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

Mr. P.K.S. Phoolka, 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 petitioner, who is the brother-in-law of the deceased in case FIR No.97 dated 03.08.2017, under Sections 302, 304-B, 34 of Indian Penal Code registered at Police Station Jathlana, District Yamuna Nagar.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 04.08.2017. It is submitted that the petitioner has been falsely implicated in the present case. It is also contended that material witnesses have since been examined and that conclusion of trial will take sufficient time, therefore, the petitioner 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, she does not dispute the fact that out of 19 witnesses, the material witnesses 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 04.08.2017 and that material witness has 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 07, 2018

seema

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No