

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

CRM-M-48770 of 2017

Date of Decision: 12.01.2018

VIKRAM @ BHOLU

....Petitioner

Versus

STATE OF HARYANA

....Respondent

CORAM:HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Manish Soni, Advocate
for the petitioner.

Mr. Arjun Singh Yadav, AAG, Haryana.

MAHABIR SINGH SINDHU, J.(Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail pending trial to the petitioner in case FIR No.46 dated 29.01.2017 registered under Section 346 of the Indian Penal Code and 302, 201, 120-B, 34 of the Indian Penal Code [added lateron] at Police Station Rajendra Park, District Gurugram.

It is contended that the petitioner is in judicial custody since 22.05.2017 and three PW's namely, PW1 Jai Parkash-complainant, PW2 Rinky-wife and PW3 Anita Devi-mother of the deceased have already been examined ;but none of them has supported the prosecution case, rather all consistently stated that the deceased was alcoholic and he died at his own and the present petitioner is not to be blamed for the same.

The above factual aspect of the matter has not been disputed by the learned State counsel. However, the bail application is opposed on the ground that the car was recovered from the petitioner.

I have heard learned counsel for the parties and perused the paper book.

There are total sixteen prosecution witnesses and till date only three have been examined; but none of them has supported the prosecution case.

The trial is likely to take a long time, hence no useful purpose would be served by keeping the petitioner behind the bars any more. Therefore, in view of the abovesaid circumstances, without expressing any opinion on the merits of the case, this petition is accepted. Petitioner-Vikram @ Bholu be admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of the learned trial Court.

[MAHABIR SINGH SINDHU]
JUDGE

January 12, 2018
rashmi

Whether speaking/reasoned	yes/no
Whether reportable?	yes/no