

206 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM M-777 of 2018 (O&M)

Date of Decision: 24.01.2018.

Sandeep Kumar

... Petitioner

Versus

State of Haryana

... Respondent

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present: Mr. Bijender Dhankher, Advocate,
for the petitioner.

Mr. Rama Kant Sharma, AAG Haryana
assisted by ASI Netar Pal.

JITENDRA CHAUHAN.J.(ORAL)

The present petition has been filed under Section 439 Cr.P.C seeking bail in case FIR No.296 dated 14.10.2015 registered under Sections 307, 506 and 120-B read with Section 34 IPC and Section 25 of Arms Act, 1959 at Police Station Agroha, District Hisar.

Learned counsel for the petitioner contends that it is a case of no injury. The allegations against the petitioner are that he allegedly fired shot in order to kill the complainant. He is in custody since 02.01.2016. The material witnesses including the complainant and the mother of the complainant Sushila have been already examined.

On the other hand, the learned State counsel submits that father of the complainant had been done to death. A day before the deposition of the complainant was to be recorded in this case, he was attacked by the petitioner to dissuade him from deposing in FIR No.34 dated 08.02.2015 registered under Section 302 IPC and Section 25 of

Arms Act at Police Station Agroha, District Hisar, wherein his father had been killed .

The petitioner was earlier an accused in another FIR No.01 dated 01.01.2016 registered under Section 25 of the Arms Act at Police Station City Hisar, (Annexure P-1) wherein he has been already acquitted.

Heard.

Considering the fact that the material witnesses have been examined as on today; the petitioner is in custody since 02.01.2016 and; out of 24 prosecution witnesses, only 17 have been examined so far, therefore, it can safely be inferred that the trial is not likely to be concluded in near future, the Court feels that as the material witnesses have been examined, no purpose will be served in keeping the petitioner in further incarceration so, without commenting on the merits of the case, this petition is allowed. The petitioner be admitted to bail during the pendency of trial, on his furnishing bail bonds and surety bonds to the satisfaction of trial Court/duty Magistrate concerned.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

24.01.2018.

SN

(JITENDRA CHAUHAN)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No