

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

CRM-M-7947-2018

Date of decision: - 18.04.2018

Vikramjit @ Vicky @ Jatu

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Amandeep Singh Mann, Advocate
for the petitioner.

Mr. Vikas Malik, DAG, Haryana.

MAHABIR SINGH SINDHU, J. (ORAL)

Present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.51 dated 16.05.2017, under Section 25 of the Arms Act, registered at Police Station Dhand, District Kaithal.

It is contended by learned counsel for the petitioner that the petitioner is in custody since 27.05.2017 and the complainant as well as injured witness have not supported the prosecution case. It is further submitted that PW4 Gourav has categorically stated before the learned trial Court that he had never seen the accused present in the Court and they did not cause any injury; nor damaged their car on 16.05.2017.

Similarly, injured, namely, Amit Kumar (PW-5), has also not supported the prosecution case and specifically stated that accused persons, who are present in the Court, were not the persons who caused injuries to him. It is further contended that the charges in this case have already been framed by learned trial Court and out of total 21 PWs, only 10 PWs have examined so far.

The above factual position is duly acknowledged by learned State counsel on instructions from SI Shiv Charan.

In view of the fact that the petitioner is in custody since 27.05.2017 and material prosecution witnesses i.e. PW-4 & PW-5 are not supporting their case and the trial is likely to take a long time to be concluded and as such no useful purpose would be served by keeping him behind the bars any more. Therefore, in view of the above-said circumstances, without expressing any opinion on the merits of the case, the present petition is accepted. Petitioner-Vikramjit @ Vicky @ Jatu be admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of the learned trial Court.

April 18, 2018
naresh.k

(MAHABIR SINGH SINDHU)
JUDGE

Whether reportable?	Yes
Whether reasoned/speaking?	Yes/