

207 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Hemlata
21.08.2018 12:00
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CRM-M-9537-2018 (O&M)

Date of decision:01.08.2018

Sanjay

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Akashdeep Singh, Advocate for the petitioner.

Mr. Vikas Malik, DAG, Haryana.

RAJBIR SEHRAWAT, J. (ORAL)

Prayer in this petition is for grant of bail pending trial in case FIR No. 553 dated 15.12.2015 under Sections 302 and 34 of IPC and Section 25 of the Arms Act, registered at Police Station Kharkhoda, District Sonapat.

Learned counsel for the petitioner contends that the name of the petitioner has been involved only as a conspiracy for the offence. Even on that aspect, the material witnesses have not supported the case of prosecution and the petitioner is in custody since 16.12.2015. It is further contended that although there are 53 prosecution witnesses in this case but so far, only 15 witnesses have been examined by the prosecution. Learned counsel for the petitioner further contends that the petitioner is not required for any further investigation.

Learned State counsel, on instructions from SI Bijender Singh, does not dispute the fact that the petitioner is in custody since 16.12.2015 and out of 53 prosecution witnesses, only 15 witnesses have been examined, so far. It is also not disputed that some of the material witnesses of the prosecution have not supported the case of the prosecution.

Without expressing any opinion on the merits of the case, considering the facts that the petitioner is in judicial custody since 16.12.2015; the trial is likely to take some time, the present petition is allowed. The petitioner is ordered to be released on bail pending trial subject to his furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate, concerned.

(RAJBIR SEHRAWAT)
JUDGE

01.08.2018
Hemlata

Whether speaking/reasoned	Yes / No
Whether reportable	Yes / No