

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

**Crl. Rev. No. 1422 of 2018
Date of Decision:- 09.08.2018**

Karambir @ Kallan

....Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Ms. Aashima Gill, Advocate, for
Mr. Aman Pal, Advocate, for the petitioner.

Mr. Satish Saini, DAG, Haryana.

SUDHIR MITTAL, J. (Oral)

Petitioner is a juvenile. He is alleged to have murdered one person. FIR was registered on the statement of the complainant that the petitioner came into verandah of his house and fired a shot resulting in death of Deepak S/o Chitter Mal.

During the pendency of the trial an application for bail was moved on behalf of the petitioner, which was rejected on the ground that the petitioner is fond of bad company and that in case bail is granted to him he may again indulge in some criminal acts. The appeal against the said order has also been rejected.

The sole argument raised by learned counsel for the petitioner is that the complainant as well as other PWs have not supported the prosecution version. Even alleged weapon of the occurrence has not been recovered from the petitioner. The petitioner has been in custody since 04.06.2017 and thus the petitioner has undergone custody of more than 01 year and 02 months and the maximum sentence imposable is RI for 03 years. In any case likelihood of the conviction of the petitioner is very bleak, in view of the statement of prosecution witnesses and thus the petitioner be released on regular bail.

The prayer is opposed by learned State counsel on the ground that as per the report of the Probation officer, the petitioner is likely to indulge in criminal acts again in case he is released on bail.

The main witnesses in this case have already been examined and thus there is no question of the petitioner attempting to influence the outcome of the trial. Admittedly, they have all failed to support the case of the prosecution and therefore likelihood of the conviction of the petitioner is very bleak. The petitioner has suffered incarceration of more than one year against maximum imposable sentence of three years and thus he deserves to be released on regular bail during the pendency of the trial.

The parents of the petitioner are however, directed to keep strict vigil on the activities of the petitioner till the time of conclusion of the trial. They shall take appropriate preventive measures and immediately inform the appropriate authorities in case it comes to light that the petitioner is again associating himself with bad elements.

The petition is allowed and the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the trial Court concerned

August 09, 2018
tripti

(SUDHIR MITTAL)
JUDGE

Whether speaking/reasoned
Whether Reportable

: Yes/No
: Yes/No