

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

**CRM-M No.1109 of 2019 (O&M)
Date of decision : 09.04.2019**

Santosh

..... Petitioner

versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Deepak Aggarwal, Advocate
for the petitioner.

Mr. Gaurav Bansal, AAG, Haryana.

Mr. Sunil Kumar Goswami, Advocate
for the complainant.

AJAY TEWARI, J. (Oral)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case F.I.R. No.777 dated 02.12.2017 registered under Sections 302/328/34 IPC at Police Station Samalkha, District Panipat.

On 22.01.2019 the following order was passed :-

“Petitioner is seeking regular bail on the ground that she is in custody for the last more than one year and her husband is also in custody. No family member is there to look after her three children.

Learned State counsel submits that material witnesses i.e. Omgiri and Karambir have not been examined so far and the next date fixed before the trial Court is 08.03.2019.

Adjourned to 09.04.2019 for examination of material witnesses.

The trial Court is directed to make all efforts to examine material witnesses on the next date of hearing or any subsequent short date.”

Custody certificate dated 08.04.2019 filed by way of affidavit of Ashok Kumar Kamboj, Dy. Supdt., District Prison (Karnal), Haryana on behalf of State is taken on record. Copy supplied to the counsel opposite. As per the custody certificate the petitioner has been in custody for 1 year, 4 months and 06 days and no other case is pending against him and the material witnesses Omgiri and Karambir have been examined.

Be that as it may and keeping in view the above facts and the period of incarceration already suffered by the petitioner and without going into the merits of the case, I deem it appropriate to release the petitioner on regular bail to the satisfaction of the concerned CJM/Illaqa Magistrate/Duty Magistrate.

Ordered accordingly.

Petition stands allowed.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

09.04.2019

pooja sharma-I

**(AJAY TEWARI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No