

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

210

**CRM-M No.1725 of 2019
Date of Decision : 23.1.2019**

Jagmohan

..... Petitioner

versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr.Virender Mandhan, Advocate
for the petitioner.

Mr. Himmat Singh, DAG, Haryana.

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 FIR No.133 dated 5.8.2016, registered under Sections 148/149/323/325/427/302 IPC at Police Station Lakhanmajra, District Rohtak.

Counsel for the petitioner has stated that the petitioner has been in custody for about almost two and a half years.

Custody certificate dated 21.1.2019 by way of affidavit of Sh. Dharamvir Singh Kadma, Deputy Superintendent, District Prison (Rohtak)-Haryana has been filed on behalf of the respondent-State, the same is taken on record. Copy has been supplied to the opposite counsel. As per the custody certificate the petitioner has undergone custody for a period of two years 5 months and 13 days.

Learned DAG on instructions from Harnender Singh has informed the Court that 18 out of 23 witnesses have been examined and stated that keeping in view the nature of the offence instead of releasing the petitioner on bail, it would be appropriate to put a time cap on the trial since only 5 official witnesses remain to be examined. He undertakes the prosecution will lead its entire evidence on 15.2.2019 subject to the accused not obstructing the same.

Keeping in view the undertaking of counsel for the State, I dismiss this petition at this stage but direct the trial Court to release the petitioner on bail subject to its satisfaction, in case the prosecution fails to conclude the evidence on 15.2.2019 subject to the accused not obstructing the same.

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

23.1.2019
anuradha

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No