

CRM-M-6894 of 2019
DATE OF DECISION:-26.03.2019

V.

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Mr. Munish Sharma, AAG, Haryana.

RAMENDRA JAIN, J. (ORAL)

Through this petition under Section 439 Cr.P.C. prayer has been made for grant of regular bail to the petitioners, in a case, arising from FIR No.298 dated 26.08.2014, registered under Sections 457 and 380 IPC, Police Station Bawani Khera, District Bhiwani.

Learned counsel contends that the absence of petitioner No.1 on 17.11.2018 and petitioner No.2 on 14.12.2018 was neither intentional nor deliberate, rather, was on account of exigency beyond their control. Both the petitioners are in custody since 16.01.2019. Conclusion of trial may take a sufficient time. No useful purpose would be served by detaining the petitioners in jail any more during trial.

On the other hand, learned State counsel opposing the bail to the petitioners, contends that the trial is at the fag end, as only 01

prosecution witness has remained un-examined. The petitioners may also abscond, in future, if, they are released on bail.

Considering overall facts and circumstances, but without expressing any opinion on the merits of the case, the petition is allowed. Consequently, petitioners are ordered to be released on interim bail after examination of entire prosecution witnesses and recording the statement of accused under Section 313 Cr.P.C., on their furnishing bail bonds and surety bonds to the satisfaction of Trial Court/Duty Magistrate concerned.

Disposed of.

26.03.2019
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(RAMENDRA JAIN)
JUDGE

whether speaking/reasoned:
whether reportable:

Yes/No
Yes/No