

211

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

CRM-M-10923 of 2019

Date of decision: May 23, 2019

Satbir

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Amandeep Chhabra, Advocate for
Mr. Vikas Bishnoi, Advocate for the petitioner.

Mr. Yashwinder Singh, DAG Haryana.

MAHABIR SINGH SINDHU, J (Oral)

Present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') for grant of bail to the petitioner, in FIR No.29 dated 20.02.2018, under Sections 148, 149, 285, 323, 324, 379 of the Indian Penal Code, 1860 (for short 'IPC') (Section 379 IPC deleted and Sections 325, 326, 379-B, 307 IPC and Sections 25, 54, 59 of Arms Act, 1959 added later on), registered at Police Station Sadar Narwana, District Jind.

Custody certificate dated 21.05.2019 filed by learned State counsel, today in Court, is taken on record.

It is contended by the learned counsel that petitioner is in custody since 27.02.2018 and he is closely related to the complainant. Further contends that after investigation of the case, challan was presented long time back and even charges have also been framed.

Learned State counsel, on instructions from Assistant Sub Inspector Kuldeep Singh has acknowledged the above facts and apprised

the Court that now trial is fixed for 27.05.2019 and there are total 21 prosecution witnesses, but none has been examined till date.

Since the petitioner is in custody since 27.02.2018 and out of total 21 prosecution witnesses, none has been examined; thus the trial will take its own time to conclude, therefore, further incarceration of the petitioner will not serve any useful purpose.

As a result thereof, this petition is allowed. The petitioner is ordered to be released on bail, in this case, on his furnishing adequate bail bonds and surety bonds to the satisfaction of learned trial Court/Duty Magistrate concerned.

The above observations may not be construed as an expression of opinion on the merits of the case.

However, it is clarified that petitioner shall fully co-operate with learned trial Court without seeking any unnecessary adjournments.

(MAHABIR SINGH SINDHU)
JUDGE

May 23, 2019
mahavir

Whether speaking/ reasoned: **Yes**

Whether Reportable: **No**