

CRM-M-11133-2019

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

CRM-M-11133-2019

Date of Decision: 30.05.2019

Kunal @ Kamaldeep

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. R.S.Cheema, Sr. Advocate with
Ms. Sumanjit Kaur, Advocate,
for the petitioner.

Mr. Sulinder Kumar, AAG, Haryana.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in a case FIR No.239 dated 08.05.2017, registered at Police Station Rai, District Sonipat, under Sections 148, 149, 323, 342, 365 and 307 of the Indian Penal Code and Section 25 of the Arms Act, 1959.

Notice of motion was issued. Learned State counsel has appeared and filed reply by way of affidavit of Sh. Jintender Singh, HPS, Deputy Superintendent of Police, Headquarters, Sonipat, in the Court today. Same is taken on record.

I have heard learned counsel for the petitioner as well as learned State counsel and gone through the record. Reply filed by the State has also been perused.

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In the reply, it is nowhere mentioned that the petitioner was armed with any weapon or he caused any injury. Rather, the State has relied upon the disclosure statement made by the petitioner himself. It is also mentioned in the reply that nothing has been recovered from the present petitioner.

Learned counsel for the petitioner submits that the material witnesses have already been examined before the trial Court and they have not supported the prosecution version and have turned hostile.

The petitioner is in custody since 07.04.2018. He is not required for any investigation or interrogation purposes as he is in judicial custody. The trial of case may take long time. No useful purpose will be served by keeping the petitioner in custody till the final disposal of the case.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bonds in the sum of Rs.50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

30.05.2019

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Whether speaking/reasoned	:	Yes
Whether reportable	:	No