

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-11217-2019 (O&M)

Date of Decision: 08.05.2019

Monu

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. DK Tuteja, Advocate for the petitioner.

Mr. Munish Sharma, AAG, Haryana.

RAMENDRA JAIN, J. (ORAL)

CRM-15093-2019

Application is allowed as prayed for.

Copies of statement of PW-1 and PW-2, namely; Daljit Singh and Akash Dahiya (Annexures P-3 and P-4, respectively) filed along with the application are taken on record, subject to all just exceptions. Be tagged at the appropriate place.

CRM-M-11217-2019

Through this petition under Section 439 Cr.P.C., petitioner-Monu, has prayed for grant of regular bail in case FIR No. 281 dated 24.06.2018 registered under Section 302 read with Section 34 IPC and Section 25 of the Arms Act, 1959 at Police Station Kharkhoda, Sonipat.

The petitioner is facing trial in the aforesaid FIR, on the allegations that he was involved in conspiracy to commit murder of Ashish nephew of Daljit Singh-complainant along with his co-accused.

Learned counsel for the petitioner *inter alia* contends that complainant-Daljit Singh while appearing as PW-1 did not name the petitioner as one of the assailants or about his complicity in commission of crime. Even, PW-2-Akash Dahiya, alleged eye-witness, also did not depose about the complicity of petitioner in commission of crime. There is no other material witness, who remains to be examined. Petitioner is in custody since, 30.06.2019. Conclusion of trial may take a long time. No useful purpose would be served by detaining him in jail.

On the other hand, learned State counsel vehemently opposed the submissions of learned counsel for the petitioner.

Considering overall facts and circumstances, but without expressing any opinion on the merits of the case, the petition is allowed. Consequently, petitioner-Monu, is ordered to be released on bail pending trial, on his furnishing adequate bail and surety bonds to the satisfaction of trial Court/Duty Magistrate, concerned.

May 08, 2019
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(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No