

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-11814-2019

Date of decision: 17.10.2019

Chand @ Chand Ram

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Sunil Saharan, Advocate
for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.250 dated 16.10.2018 under Sections 307, 323, 34, 341, 506 IPC and Section 25 of Arms Act, registered at Police Station Agroha, District Hisar.

Learned counsel for the petitioner submits that the petitioner is in custody for the last 01 year and the injured-victim Bintu, who appeared as PW7, has not supported the prosecution version and was declared hostile. It is further submitted that during cross-examination by the Public Prosecutor, this witness has even denied his statement Ex.P3 given to the police. Learned counsel further submits that eyewitness Kamlesh has appeared as PW8 and she has also not supported the prosecution version and was declared hostile.

Learned State counsel, on instructions from ASI Sandeep Kumar, has not disputed the factual position. As per the custody certificate dated

15.10.2019 filed in the Court today, the petitioner is in custody since 18.10.2018.

Without commenting anything on merits of the case, in view of the statements of the injured PW7 and eyewitness PW8, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bond to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

17.10.2019
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No