

Crl. Misc. No. M-28095 of 2018

(1)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No. M-28095 of 2018

DATE OF DECISION:01.04.2019

Anil @ Sonu

.....Petitioner

Versus

State of Haryana

.....Respondent

BEFORE:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. Akshay Bhan, Senior Advocate with
Mr. Harparteek Singh Sandhu, Advocate
for the petitioner.

Mr. Arun Beniwal, DAG, Haryana.

Mr. Lalit Kumar, Advocate
for the complainant.

DAYA CHAUDHARY, J.

The present petition under Section 439 Cr.P.C. has been filed by petitioner-Anil @ Sonu for grant of regular bail to him in case FIR No. 421 dated 3.12.2017 registered under Sections 307/34/114/323 IPC and 25 of Arms Act at Police Station PGIMS, Rohtak.

Learned senior counsel for the petitioner contends that the petitioner has falsely been implicated in this case, whereas, he was not involved. Learned senior counsel further contends that out of total 20 prosecution witnesses, 7 have been examined including complainant/injured and he has not supported the case of the prosecution. The petitioner is in

custody for the last more than one year and three months and no purpose would be served by keeping him behind the bars.

Learned counsel for respondent-State has not disputed the custody of the petitioner, stage of the trial and also the fact that complainant/injured has not supported the case of the prosecution.

Heard the arguments advanced by learned counsel for the parties and have also gone through the contents of the FIR including the documents available on the file.

Keeping in view the fact that the petitioner is in custody since 21.12.2017 and also the facts that out of total 20 prosecution witnesses, 7 have been examined including complainant/injured and he has not supported the case of the prosecution and trial may take some time to conclude, the present petition is allowed. Petitioner-Anil @ Sonu is directed to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate.

April 01, 2019
pooja

(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No