

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

CRM-M-14937-2019 (O&M)
Date of Decision: July 18, 2019

Raj Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Manish Soni , Advocate
for the petitioner.

Mr. Pramjit Singh, AAG, Haryana.

None for the complainant.

JAISHREE THAKUR, J. (Oral)

This is the second petition which has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.370 dated 01.04.2017, under Sections 304-B, 34, 498-A of Indian Penal Code, registered at Police Station Panipat, District Panipat.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 01.04.2017. It is contended that the earlier bail petition of the petitioner was declined on the ground that material witnesses were yet to be examined and subsequently their evidence has been recorded. It is also contended that an application under Section 311, Cr.P.C. had been filed for summoning the additional

accused, which application has been allowed despite the fact that the said witness sought to be summoned was not mentioned in the FIR, investigation and during trial, which order will also be challenged independently. It is further contended that there is little likelihood of the petitioner herein influencing the material witnesses, therefore, the petitioner is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, oppose the grant of regular bail to the petitioner, while submitting that offences alleged against the petitioner are serious in nature, however, he does not dispute the fact that the evidence of the material witnesses has been recorded.

I have heard learned counsel for the parties.

In view of the facts that the petitioner herein has been in custody since 01.04.2017 and that the evidence has been recorded, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without commenting on the merits of the case, the instant second petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate.

July 18, 2019

seema

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No