

Crl. Misc. No. M-34872 of 2018

Date of Decision: January 30, 2019

Ombir

.....Petitioner

versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Mr. Ramnish Puri, Advocate for the petitioner

Mr. D.R. Singla, DAG Haryana

Sudhir Mittal, J. (Oral)

The petitioner seeks grant of regular bail in case FIR No. 289 dated 25.05.2017 under Sections 302, 34 IPC, registered at Police Station City Sonipat, District Sonipat.

Learned counsel for the petitioner submits that the petitioner is a Juvenile. He has undergone actual custody in excess of 1 ½ yeas and the trial is not likely to be concluded at an early date, thus, he may be released on regular bail.

Custody certificate dated 30.01.2019 prepared by Sh. Krishan Kumar, Superintendent, Place of Safety, Madhuban (Karnal), has been filed in the Court today and the same is taken on record.

According to this certificate, the petitioner has undergone actual custody of one year, eight months and two days and there is no criminal case pending against him.

Learned State counsel submits that four more PWs remain to be examined and, thus, the trial may still take some time to be concluded.

The petitioner is a juvenile. The maximum sentence that can be imposed upon him is rigorous imprisonment for three years. Keeping in view the custody period as well as the fact that there is no criminal case pending against him,

it would be just and appropriate to grant regular bail to the petitioner.

Accordingly, the petition is allowed and the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the trial Court concerned.

January 30, 2019

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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No