

224 **IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M No.17315 of 2019 (O&M)
Date of decision : 03.05.2019

Kimmat @ Gugan

..... Petitioner

versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. K.S.Khehar, Advocate
 for the petitioner.

Mr. Surender Singh, AAG, Haryana.

AJAY TEWARI, J. (Oral)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case F.I.R. No.874 dated 21.11.2014 registered under Sections 302/307/120-B/34 IPC at Police Station City Jind, District Jind.

Learned counsel for the petitioner has argued that admittedly at the time when the murder was committed the petitioner was in jail and now the eye witness and one of the injured have not supported the case of the prosecution.

Learned State counsel on instructions from SI Krishan Kumar has argued that the petitioner is a king-pin gangster and it is on his direction

that this murder was committed. He has however not denied the factual averments made above.

Custody certificate dated 03.05.2019 filed by way of affidavit of Rakesh Kumar, Deputy Superintendent, District Prison (Jind), Haryana on behalf of State is taken on record. Copy supplied to the counsel opposite. As per custody certificate the petitioner has been in custody for 01 year, 02 months & 04 days. It is also not disputed that the trial is not likely to be concluded in the near future since even as per the State Counsel more than 30 witnesses remained to be examined.

Be that as it may and keeping in view the above facts and the period of incarceration already suffered by the petitioner and without going into the merits of the case, I deem it appropriate to release the petitioner on regular bail to the satisfaction of the concerned CJM/Illaqa Magistrate/Duty Magistrate.

Ordered accordingly.

Petition stands allowed.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

(AJAY TEWARI)
JUDGE

03.05.2019
pooja sharma-I

Whether speaking/reasoned Yes/No

Whether Reportable : Yes/No