

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

**CRM-M No.18768 of 2019 (O&M)
Date of decision : 03.05.2019**

Vinod

..... Petitioner

versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Ishan Khetarpal, 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.53 dated 13.02.2018 registered under Sections 307/323/342/148/149 IPC at Police Station Pundri, Kaithal.

Learned counsel for the petitioner states that the petitioner has been in custody since 05.03.2018.

Custody certificate dated 30.04.2019 filed by way of affidavit of Tej Singh, Deputy Superintendent, District Prison (Kaithal), Haryana on behalf of State is taken on record. Copy supplied to the counsel opposite. As per the custody certificate the petitioner has been in custody for 01 year, 01 month and 25 days.

Learned State counsel on instructions from ASI Suresh Kumar has accepted that it has wrongly been recorded by the trial Court that the

prosecution evidence has been concluded but the fact of the matter is that only one official witness remains and the case is now fixed for 25.05.2019. He further states that instead of releasing the petitioner on bail, it would be appropriate to put a time cap on the trial and in case the accused does not obstruct the trial the prosecution will lead its entire evidence on or before 25.05.2019 and till such time the bail should not be granted to the petitioner.

I find this to be a fair submission. In the circumstances, in view of the undertaking given by the learned State counsel, it is directed that in case the prosecution does not lead its entire evidence on or before 25.05.2019 (subject to the accused not obstructing the same) the petitioner be released on bail to the satisfaction of the trial Court.

Petition stands disposed of in the above terms.

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

03.05.2019

Pooja sharma-I

**(AJAY TEWARI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No