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

**CRM-M-19737 of 2019**

**Date of decision: May 07, 2019**

Dinesh

.....Petitioner

Versus

State of Haryana

.....Respondent

**CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU**

**Present:** Mr. Rakesh Kumar Lathwal, Advocate for the petitioner.

Mr. Yashwinder Singh, DAG Haryana.

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**MAHABIR SINGH SINDHU, J (Oral)**

Present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') for grant of bail to the petitioner in FIR No.608 dated 24.10.2018, under Sections 307, 34 of the Indian Penal Code, 1860 (for short 'IPC') (Section 450 IPC added later on) and Section 25 of Arms Act, 1959, registered at Police Station Sadar, District Sonipat.

It is contended on behalf of the petitioner that he is in custody since 29.10.2018 and neither been named in the FIR; nor any injury has been attributed to him. Further contended that during investigation, nothing has been recovered from the petitioner to connect with the commission of the alleged offence.

The above factual position is duly acknowledged by the learned State counsel, on instructions from the police official who has come to assist him, but opposed the bail while submitting that allegations in the case are serious.

Heard learned counsel for the parties and perused the paper

book.

Concededly, the petitioner is in custody since 29.10.2018 and charges have been framed on 13.03.2019 and now the case is fixed for prosecution evidence on 10.07.2019 before the learned trial Court. Learned State counsel has apprised this Court that there are 22 prosecution witnesses, but none has been examined till date.

Keeping in view the custody of the petitioner as well as the fact that neither he has been named in the FIR; nor any incriminating material was recovered from him during investigation and that trial will take a long time, no useful purpose would be served in further keeping the petitioner behind bar.

As a result thereof, this petition is allowed. The petitioner is ordered to be released on bail, in this case, on his furnishing adequate bail bonds and surety bonds to the satisfaction of learned trial Court/Duty Magistrate concerned.

The above observations may not be construed as an expression of opinion on the merits of the case.

However, it is clarified that petitioner shall fully co-operate with learned trial Court and will not seek any unnecessary adjournments.

**(MAHABIR SINGH SINDHU)**  
**JUDGE**

**May 07, 2019**

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Whether speaking/ reasoned: **Yes**

Whether Reportable: **No**