

Crl. Misc. No. M-41390 of 2017

(1)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No. M-41390 of 2017

DATE OF DECISION:11.02.2019

Satyam

.....Petitioner

Versus

State of Haryana

.....Respondent

BEFORE:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. Sushil Bhardwaj, Advocate
for the petitioner.

Mr. R.S. Doon, AAG, Haryana.

DAYA CHAUDHARY, J.

The present petition under Section 439 Cr.P.C. has been filed by petitioner, namely, Satyam for grant of regular bail to him in case FIR No. 161 dated 20.5.2016 registered under Sections 364-A/34/120-B IPC and Section 25/54/59 of Arms Act at Police Station, City Bhiwani, District Bhiwani.

Learned counsel for the petitioner contends that the petitioner has falsely been implicated, whereas, he was not involved. The FIR was registered against unknown persons. Learned counsel further contends that the petitioner is in custody since 21.5.2016 and out of total 16 prosecution witnesses, 11 have been examined and trial may take some time to conclude and no purpose would be served by keeping him in custody. Learned

counsel also submits that no other case is there against the petitioner.

Learned counsel for respondent-State has not disputed the custody period as well as examination of 11 witnesses out of total 16 prosecution witnesses and one has been give up.

Without commenting anything on the merits of the case and keeping in view the facts that the petitioner is in custody for the last approximately two years and nine months; trial may take some time to conclude as not only four prosecution witnesses remain to be examined but thereafter statement of accused under Section 313 Cr.P.C. as well as statements of defence witnesses is yet to be recorded and that there is no other case against the petitioner, the present petition is allowed. Petitioner-Satyam is directed to be released on regular bail subject to his furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate.

February 11, 2019
pooja

(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No