

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

223

CRM-M-20742-2019.

Date of Decision: 10.05.2019.

Guddi

....Petitioner.

Versus

State of Haryana

....Respondent.

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr. Pankaj Bali, Advocate for the petitioner.

Mr. Ramesh Kumar Ambavta, Assistant Advocate General,
Haryana.

Shekher Dhawan, J.

Present petition under Section 439 of the Criminal Procedure Code is for grant of regular bail to petitioner Guddi wife of Rajpal alias Raju in case F.I.R. No.151 dated 09.05.2018 under Sections 302, 201, 34 of the Indian Penal Code, registered at Police Station Nissing, District Karnal.

Learned counsel representing the petitioner contended that all the material witnesses i.e. PW1 to PW3 have been examined and cross examined at length before learned trial Judge and they have not supported the prosecution case at all. The petitioner is in custody since 09.05.2018 and trial of the case still to take some more time and no useful purpose would be served by detaining the petitioner behind the bars, so the petitioner be released on bail.

Learned State counsel, on instructions from Sub Inspector Subhash, has affirmed the fact that all the material witnesses i.e. PW1 to PW3 have been examined before learned trial Judge and they have not supported the prosecution case. Learned State counsel also affirmed the period of detention of the petitioner from 09.05.2018.

At this stage, without commenting anything on the merits of the case, which may not cause prejudice to any of the party and taking into consideration the fact that the petitioner is in custody since 09.05.2018, the material witnesses PW1 to PW3 have not supported the prosecution case; trial of the case still to take some more time and no useful purpose would be served by detaining the petitioner behind the bar any more, the present petition is allowed. Petitioner-Guddi wife of Rajpal alias Raju is ordered to be admitted to regular bail on her furnishing adequate bail bond and surety bond to the satisfaction of concerned learned trial Judge/ Chief Judicial Magistrate/ Duty Magistrate.

(SHEKHER DHAWAN)
JUDGE

10.05.2019

jitender

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No