

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

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**CRM-M-21048-2019 (O&M).
Date of Decision: 30.09.2019.**

Ishwar

....Petitioner.

Versus

State of Haryana

....Respondent.

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

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

Ms. Harpreet Kaur, 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—Ishwar in case F.I.R. No.287 dated 12.11.2018 under Sections 307, 323, 34 of the Indian Penal Code, registered at Police Station Sadar Narwana, District Jind.

Learned counsel representing the petitioner contended that in this case, there was only one material witness i.e. Sonia, who is victim of the case as well. She has already been examined during the trial before learned trial Judge and she has not supported the prosecution case. The petitioner is in custody since 13.11.2018; 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 he be released on bail.

Learned State counsel, on instructions, affirmed the fact that Sonia is the only material witness in this case and she has not supported the prosecution case.

At this stage, without commenting anything on the merits of the case, which may not cause prejudice to either of the parties at a later stage of the trial and taking into consideration the above facts and the fact that the petitioner is in custody since 13.11.2018; trial of the case still to take some more time and no useful purpose would be served by detaining the petitioner behind the bars, the present petition is allowed. Petitioner—Ishwar, is ordered to be admitted to regular bail on his furnishing bail bond and surety bond to the satisfaction of concerned learned trial Judge/ Chief Judicial Magistrate/ Duty Magistrate.

(SHEKHER DHAWAN)
JUDGE

30.09.2019
jitender

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No