

CRM-M-44605-2018 (O&M)

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

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**CRM-M-44605-2018 (O&M)
Date of Decision : 10.5.2019**

Sumit alias Kasaab

....Petitioner

vs.

State of Haryana

....Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Robin Singh Hooda, Advocate
for the petitioner.

Mr. Surender Singh, AAG, Haryana.

AJAY TEWARI, J. (Oral)

The petitioner seek grant of regular bail in case FIR No.199, dated 29.5.2017, registered under Section 302, 506, 120-B, 450 IPC and 25/54 of Arms Act, 1959 registered at Police Station Kundli, Sonapat, District Panipat.

Custody certificate dated 9.5.2019 by way of affidavit of Shahid Hussain-Dsp-2, Deputy Superintendent has been filed on behalf of the respondent-State, the same is taken on record. Copy has been supplied to the opposite counsel. As per the custody certificate the petitioner has been in custody for 1 year 10 months and 21 days.

Learned Counsel has argued that the fact of the matter is that complainant is not appearing in the trial Court, even on the last date that

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was 8.5.2019 in the Trial Court, the complainant did not appear to give his testimony.

On instructions from ASI Subhash Chander, learned AAG has accepted this fact but states that the complainant is now sheduled to come present on 31.5.2019, that is the date fixed in the trial Court.

Be that as it may. Without commenting on the merits of the case and in view of the fact that the complainant is not appearing to give his testimony, even while dismissing this petition, I deem it appropriate to direct the trial Court that in case the complainant does not appear to give his tesimony on the next date of hearing i.e. 31.5.2019, the petitioner be released on bail to its satisfaction on that date.

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

10.5.2019
anuradha

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned	-	Yes/No
Whether reportable	-	Yes/No