

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH

215

CRM-M-24063 of 2019 (O&M)

Date of Decision: 06.09.2019

Chirag

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Deepak Sonak, Advocate, for the petitioner.
Mr. Surender Singh, AAG, Haryana.

Amol Rattan Singh, J. (Oral)

By this petition, filed under Section 439 Cr.P.C., the petitioner seeks the concession of 'regular bail'.

The petitioner is not seen to be named in the FIR, with today learned State counsel (on instructions from ASI Sita Ram), saying that 12 witnesses have been examined, it having been stated on July 04.2019 that 08 had been examined by that date, with 2 to be examined on 17.07.2019, including one public witness.

Learned counsel for the petitioner again points to the testimony of the complainant, Chander Kalan, to submit that she has not stated anywhere that the petitioner was involved in the crime. He is stated to have been in custody for the past 2 years.

That being so, without making any comment on the charge against the petitioner, the petition is allowed. The petitioner would be

enlarged on bail, upon his furnishing adequate bail and surety bonds to the satisfaction of the trial Court.

However, the Superintendent of Police, Bhiwani, is directed to file an affidavit as to why officials are being sent to Court who know not even the basics of the case, because as per the statement of the ASI present in Court today, even the complainant has not been examined as yet, even though with the testimony of the complainant has been annexed as Annexure P-2 with the petition.

For the purpose of filing of the affidavit of the Superintendent of Police, Bhiwani, put up the case file on 16.10.2019.

To be shown in the urgent list.

A copy of this order be given to the learned State counsel under signatures of the Reader of the Bench.

06.09.2019
vcgarg/nitin

(Amol Rattan Singh)
Judge

Whether reasoned/speaking: Yes
Whether reportable: no