

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH
Sr. No.: 225

Criminal Miscellaneous No.M-21328 of 2019 (O & M)
Date of Decision: May 22, 2019

Dhilllo @ Manoj Kumar

..... PETITIONER

VERSUS

State of Haryana

..... RESPONDENT

. . .

CORAM: **HON'BLE MR. JUSTICE AJAY TEWARI**

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PRESENT: - Mr. Randeep S. Dhull, Advocate, for the petitioner

Mr. Surinder Singh, Assistant Advocate General,
Haryana.

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Ajay Tewari, J (Oral)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.33 dated 19.01.2018 under Sections 302, 34 IPC registered at Police Station, Sadar Dadri, District Charkhi Dadri.

As per the case of the prosecution, petitioner was alleged to have given stick blow.

Custody certificate dated 21.05.2019 filed by way of affidavit of Amit, Deputy Superintendent, District Prison, Bhiwani, on behalf of the State is taken on record. Copy supplied to the counsel opposite.

As per custody certificate, petitioner has been in custody for 1 year, 4 months and 1 day.

Learned counsel for the petitioner states that the petitioner has been in custody for more than one year and no useful purpose will be served by putting him behind the bars.

Learned Assistant Advocate General, Haryana, on instructions from HC Pawan Kumar, states that out of 13 witnesses 9 have been examined and 4 witnesses remain to be examined who have been summoned for 04.07.2019 and prayed that instead of releasing the petitioner, it would be appropriate to put a time cap on the trial since all the witnesses are official witnesses and in case the accused does not obstruct the trial the prosecution will lead its entire evidence on or before 31.07.2019 and till such time the bail should not be granted to the petitioner.

I find this to be a fair submission. In the circumstances, in view of the undertaking given by the learned State counsel, while dismissing the petition, it is directed that in case the prosecution does not leave its entire evidence on or before 31.07.2019 (subject to the accused not obstructing the same), the petitioner be released on bail to the satisfaction of the trial Court.

Petition stands disposed of.

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

May 22, 2019
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(Ajay Tewari)
Judge

Whether Speaking/ Reasoned:
Whether Reportable:

Yes/ No
Yes/ No