

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

CRM-M No.45844 of 2017

Date of Decision: 06.03.2019

Manjeet

....Petitioner

Versus

State of Haryana

....Respondent

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. Gautam Dutt, Advocate
for the petitioner.

Mr. Rajesh K. Sheoran, Addl. A.G., Haryana.

Mr. B.S. Saroha, Advocate
for the complainant.

DAYA CHAUDHARY, 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.345 dated 03.05.2017 registered under Sections 148, 149, 323, 324, 506 IPC (Section 307 IPC and Section 25 of the Arms Act added and Sections 148 and 149 deleted subsequently) at Police Station Sadar, District Palwal.

Learned counsel for the petitioner submits that the petitioner is in custody since 18.05.2017 and all PWs have been examined except three including the complainant and two police officials. The application moved under Section 319 Cr.P.C was also dismissed and still the trial may take some time to conclude and no useful purpose would be served by keeping the petitioner behind bars. Against the order of dismissal in a petition under Section 319 Cr.P.C., revision is still pending before this Court and in case, it is allowed, it would be a case of *denovo* trial.

Learned State counsel has not disputed the custody period as

well as pendency of the revision petition against the order passed under Section 319 Cr.P.C. The stage of trial has also not been disputed.

However, learned counsel for the complainant has opposed the submissions made by learned counsel for the petitioner.

Keeping in view the custody since 18.05.2017; the fact that all witnesses except three have been examined; the revision challenging the order passed in a petition under Section 319 Cr.P.C is still pending; the trial may take some time to conclude, the present petition is allowed and petitioner, namely, Manjeet is directed to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court.

However, it is made clear that in case, the petitioner tries to influence any witness especially the complainant, the complainant is at liberty to move an application for cancellation of bail.

(DAYA CHAUDHARY)
JUDGE

06.03.2019
gurpreet

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No