

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

216

CRM-M-22602-2019.

Date of Decision: 22.05.2019.

Madan Lal

....Petitioner.

Versus

State of Haryana

....Respondent.

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr. Dinesh Arora, Advocate for the petitioner.

Mr. Ashish Sanghi, Deputy Advocate General, Haryana.

Shekher Dhawan, J.

Present petition under Section 439 of the Criminal Procedure Code is for grant of regular bail to the petitioner in case F.I.R. No.167 dated 31.08.2018 under Section 302 of the Indian Penal Code, registered at Police Station Behal, District Hisar.

Learned counsel representing petitioner contended that the petitioner is in custody since 01.09.2018 and after framing of charge, all the material witnesses including complainant and eyewitnesses have already been examined and they have not supported the prosecution case. Even the allegations are that deceased Sombir due to brick blow given on his head. The 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 from Sub Inspector Satyawar fairly conceded that all the material witnesses including the complainant have already been examined and not supported the prosecution case and trial of the case still to take some more time.

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, but taking the above facts into consideration and the fact the petitioner is in custody since 01.09.2018, all the material witnesses have already been examined and they have not supported the prosecution case at trial stage; trial of the case still to some more time and no useful purpose would be served by detaining the petitioner behind the bars, the present petition is allowed. Petitioner—Madan Lal son of Nand Ram, is ordered to be admitted to regular bail on his furnishing adequate bail bond and surety bond to the satisfaction of concerned learned trial Judge/ Chief Judicial Magistrate/ Duty Magistrate.

(SHEKHER DHAWAN)
JUDGE

22.05.2019

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Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No