

CrI. Misc. No. M-51762 of 2018
Date of Decision: February 26, 2019

Bijender Singh

.....Petitioner

versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Mr. S.K. Panwar, Advocate
for the petitioner

Mr. D.R. Singla, DAG Haryana

Mr. Jamshed Ahmed, Advocate
for the complainant

Sudhir Mittal, J. (Oral)

The petitioner seeks grant of regular bail in case FIR No. 64 dated 08/09.05.2018 registered under Sections 306, 34 IPC at Police Station GRP Faridabad, District GRP Ambala Cantt.

Learned counsel for the petitioner submits that the petitioner has been in custody since 11.09.2018. The trial is not likely to be concluded at an early date as examination of PWs has not yet commenced. There is no criminal case pending against the petitioner and, thus, he may be released on regular bail.

Custody certificate dated 25.02.2019 prepared by Sh. Deepak Sharma, Superintendent of Prison, District Prison, Palwal, Haryana, has been filed in the Court today and the same is taken on record. According to this certificate, the petitioner has undergone actual custody of five months and fifteen days and there is no criminal case pending against him.

Learned State counsel does not dispute the aforementioned factual submissions made on behalf of the petitioner.

Learned counsel for the complainant submits that the complainant and his witnesses are being threatened by the petitioner so as to make them enter into compromise, thus, the petitioner be not granted regular bail.

Keeping in view the custody period of the petitioner, the fact that the trial is not likely to be concluded at an early date and that there is no criminal case pending against him, I deem it just and appropriate to grant regular bail. The petition is, accordingly, allowed and the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the trial Court concerned.

The petitioner shall, however, mark his presence in the concerned police station on the first of every month.

February 26, 2019
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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No