

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-23953-2019

Date of decision: - 05.11.2019

VIKASH

...Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Sandeep Gahlawat, Advocate for
Mr. Sandeep Parkash Chahar, Advocate
for the petitioner.

Mr. Rahul Mohan, DAG, Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Learned counsel for the petitioner has brought the attention of this Court towards the statement recorded by the learned trial Court of complainant-Sunil as PW-1, brother of the deceased- Rakesh, as to fact that he has not made any complaint against any person.

Learned counsel for the petitioner further brought the attention of this Court towards the statement of Amit Kumar (PW-2) who was present at the time of proceedings under Section 175 of Cr.P.C. were initiated. Even in the FIR no specific role of the petitioner has been mentioned and this fact has not been controverted by the learned State counsel.

The petitioner has been in custody for the last more than 12 months and the trial would take time to conclude.

Without commenting anything on the merits lest it should prejudice the case either side, the petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the concerned learned trial Court/Chief Judicial Magistrate/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

05.11.2019

Mangal Singh

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No