

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

219

CRM-M-52849-2018

Date of Decision:31.01.2019

Sanjeet

.....Petitioner

Versus

The State of Haryana

.....Respondent

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

Present: Mr. Neeraj Sheoran, Advocate,
for the petitioner.

Ms. Priyanka Sadar, A.A.G., Haryana.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in FIR No.235 dated 18.04.2018 under Sections 302 read with Section 34 IPC, but later on police has submitted challan under Section 306 IPC, registered at Police Station Sadar Dadri, District Charkhi Dadri.

Learned counsel for the petitioner states that the petitioner is facing trial for the offence punishable under Section 306 IPC only and he is in custody since 31.05.2018. Complainant-Anil Kumar, who is father as well as Santosh, mother of the deceased have been declared hostile and have not supported the case of the prosecution. He has produced certified copies of the statements of complainant-Anil Kumar examined as PW1 and statement of Santosh, mother of the deceased as PW2, which are taken on record.

Learned State Counsel on instructions from SI Anil Kumar states that as against total 19 witnesses cited by the prosecution, 06 witnesses have been examined and the case is now fixed for remaining prosecution evidence on 02.03.2019.

I have heard learned counsel for the parties.

Considering the fact that the petitioner is in custody since 31.05.2018, the complainant-PW1, who is father as well as Santosh-PW2, who is mother of the deceased, have not supported the prosecution case and have been declared hostile, this Court finds that culpability of the petitioner in the crime is yet to be established.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail, subject to furnishing of his bail bonds/surety bonds to the satisfaction of trial Court.

However, petitioner shall not extend any threat and shall not try to influence any prosecution witnesses in any manner directly or indirectly.

January 31, 2019
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No