

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

**Criminal Misc. No. M-54219 of 2018
Date of decision: 18.03.2019**

Himmat

..Petitioner

Versus

State of Haryana

..Respondent

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

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

Mr. Tanuj Sharma, AAG, Haryana
for the respondent -State.

Daya Chaudhary, J. (Oral)

The present petition has been filed by the petitioner under Section 439 Cr.P.C. for grant of regular bail in case FIR No.874 dated 21.11.2014 registered under Sections 302, 307 read with Sections 120-B and 34 IPC and Section 25 of the Arms Act at Police Station City Jind, District Jind.

Learned counsel for the petitioner submits that the petitioner is in custody since 08.01.2015. Out of total 77 prosecution witnesses, 25 including the material witnesses have been examined; 5 witnesses have been given up and two have expired. Complainant and injured have not supported the case of the prosecution.

Learned State counsel has not disputed the custody period as well as the fact that complainant and injured have not supported the case of the prosecution.

Heard arguments of learned counsel for the petitioner as well as learned State counsel and have also perused the contents of the FIR and other documents available on the file.

Without commenting anything on the merits of the case and by considering the custody since 08.01.2015; out of total 77 prosecution witnesses, 25 including the material witnesses have been examined; 5 witnesses have been given up and two have expired ; complainant and injured have not supported the case of the prosecution; trial may take time to conclude; no purpose would be served by keeping the petitioner in custody, the present petition is allowed and the petitioner (Himmat) is directed to be released on regular bail on furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

18.03.2019
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(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	No