

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-26408-2019

Date of decision: 03.07.2019

Sagar

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Onkar Rai, Advocate
for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

CRM-19560-2019

For the reasons stated in the application, same is allowed and
Statement of PW4 Mukesh is taken on record as Annexure P-8.

CRM stands disposed of.

CRM-M-26408-2019

This is 2nd petition for grant of regular bail in FIR No.610 dated
17.12.2018 under Sections 148, 149, 323, 324, 307, 506 IPC, registered at
Police Station Sadar Ballabgarh, District Faridabad.

Learned counsel for the petitioner submits that the petitioner is not
involved in any other case and all the eye-witnesses have been examined. It is
further submitted that the complainant-injured Naveen and Kuldeep were
examined on 17.05.2019 and they have not supported the case of the

prosecution and even two more prosecution witnesses Mukesh and Pardeep, who have been examined on 03.06.2019, have also not supported the prosecution version and they have not named the petitioner as an accused. Learned counsel further submits that the petitioner is in judicial custody since 18.12.2018 and conclusion of the trial will take some time and in view of the fact that the injured/eyewitnesses are not supporting the prosecution version, it will be a debatable issue whether identity of the petitioner is proved or not.

Learned State counsel, on instructions from SI Vijender Singh, has not disputed the factual position.

Without commenting anything on merits of the case, considering the fact that the petitioner is in judicial custody since 18.12.2018; he is not involved in any other case and the injured/eyewitnesses have not supported the prosecution version, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bond to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

03.07.2019

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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No