

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT
CHANDIGARH

236)

Crl. Misc. No.M-27278 of 2019

Date of Decision: 05.12.2019

Shishpal

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr.Vikram Singh, Advocate for the petitioner.

Mr.Surender Singh, AAG, Haryana.

Amol Rattan Singh, J. (Oral)

This petition has been filed under the provisions of Section 439 Cr.P.C., for grant of 'regular bail' to the petitioner, upon FIR No.1193 dated 29.11.2018, having been registered at Police Station Model Town Panipat, District Panipat, for the alleged commission of an offence punishable under Section 302 of IPC.

On 05.07.2019, the following order has been passed:-

“The learned counsel for the petitioner submits that the complainant Baljeet as well as eye witness Rajesh have been examined by the trial Court who have not supported the case of the prosecution. He has, however, request for an adjournment to place on record copies of statements of the aforesaid PWs.

In view of the aforesaid request, the matter is adjourned to
26.9.2019.”

Today, learned counsel for the petitioner has produced in Court the testimonies stated to have been recorded of the witnesses to the occurrence, to submit that they were both declared to be hostile, and therefore the petitioner deserves the concession of bail.

Learned State counsel, on instructions from ASI Devender Kumar, while not denying the aforesaid fact, however submits that as per the report of the FSL, the blood found on the clothes of the deceased and on those of the petitioner, was matching. He further submits that out of 17 prosecution witnesses, 12 have already been examined with only 05 remaining.

In view of the aforesaid circumstances, without making any comment on the actual merits of the case for or against the petitioner, I see no reason to admit the petitioner to bail at this stage.

Dismissed.

(AMOL RATTAN SINGH)
JUDGE

05.12.2019

Anjal/nitin

Whether reasoned/speaking:	Yes
Whether reportable:	No