

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

228

CRM-M-27535-2019.

Date of Decision: 22.08.2019.

Ankit

....Petitioner.

Versus

State of Haryana

....Respondent.

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr. Pankaj Bali, Advocate for the petitioner.

Mr. Ashok Muthreja, Deputy Advocate General, Haryana.

Shekher Dhawan, J.

Present petition under Section 439 of the Criminal Procedure Code is for grant of regular bail to petitioner- Ankit son of Rajpal alias Raju in case F.I.R. No.151 dated 09.05.2018 under Sections 302, 201, 34 of the Indian Penal Code, registered at Police Station Nissing, District Karnal.

The petitioner is facing allegations for offence under Sections 302, 201, 34 IPC alongwith other co-accused and the case is based on circumstantial evidence.

Learned counsel representing petitioner contended that the petitioner is in custody since 09.05.2018 and during trial, all the material witnesses who have been examined as PW1 to PW3, have not supported the prosecution case. Co-accused Guddi has already been released on bail by this Court vide order dated 10.05.2019 passed in CRM-M-20742-2019. Trial of the case still to take some more time and no useful purpose would be served by detaining the petitioner behind the bars, so he be released on

Learned State counsel has not disputed the fact that all the material witnesses of the case have not supported the prosecution case.

At this stage, without commenting anything on the merits of the case, which may not cause prejudice to either of the parties at a later stage, but taking the above facts into consideration and the fact the petitioner is in custody since 09.05.2018, co-accused Guddi has already been released on bail as per order dated 10.05.2019 passed by this Court in CRM-M-20742-2019 and material witnesses PW1 to PW3 have not supported the prosecution case; trial of the case still to take some more time and no useful purpose would be served by detaining the petitioner behind the bars, the present petition is allowed. Petitioner—Ankit, is ordered to be admitted to regular bail on his furnishing adequate bail bond and surety bond to the satisfaction of concerned learned trial Judge/ Chief Judicial Magistrate/ Duty Magistrate.

(SHEKHER DHAWAN)
JUDGE

22.08.2019
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Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No