

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

226)

Crl. Misc. No.M-28921 of 2019 (O&M)

Date of Decision: 28.11.2019

Rajesh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. R.A. Sheoran, Advocate, for the petitioner.
Mr. Surender Singh, AAG, Haryana.

Amol Rattan Singh, J. (Oral)

By this petition, filed under the provisions of Section 439 of the Cr.P.C., the petitioner seeks the concession of 'regular bail'.

Learned counsel for the petitioner points to the fact that though on 04.10.2019, learned State counsel, on instructions from ASI Om Parkash, had submitted that two prosecution witnesses having been given up, no further prosecution witness remains to be examined, yet today, it is seen that as per the trial courts' order dated 15.10.2019, no PW was present or summoned on that date, with an application under Section 311 of the Cr.P.C. having been filed.

Learned counsel for the State though again reiterates that no further PWs are left to be examined, but could not explain as to why the trial court has recorded as above, qua PWs to be examined. Otherwise he admits that an application under Section 311 of the Cr.P.C. has been filed by the prosecution.

That being so, without making any comment on the actual merits of the case, for or against the petitioner, this petition is allowed. The petitioner would be enlarged on bail, upon his furnishing adequate bail and surety bonds to the satisfaction of the trial Court.

28.11.2019
vcgarg

(Amol Rattan Singh)
Judge

Whether reasoned/speaking: Yes
Whether reportable: No