

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

CRM-M-31129-2019
Date of decision: 01.10.2019

Udaiveer

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Sanjay Majithia, Sr. Advocate with
Mr. Inderjit Singh, Advocate
for the petitioner.

Mr. Naveen Sheoran, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

This is the third petition that has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 246 dated 01.07.2017, registered under Sections 148, 149, 323, 341, 427, 506 and 307 (added later on) of the IPC at Police Station Chandhut, District Palwal.

Learned senior counsel for the petitioner submits that the first bail application bearing CRM-M-15612-2018, filed by the petitioner, was dismissed as withdrawn on 23.10.2018 and the second bail application bearing CRM-M-3841-2019 was dismissed on 04.02.2019 and the present regular bail application has been filed in view of the changed circumstances that all the material prosecution witnesses have been examined and there is no possibility of tampering with the prosecution evidence as only some official witnesses are left to be examined.

Learned senior counsel further submits that the petitioner is in

judicial custody for the last about 01 year and 08 months and all the material prosecution witnesses including the injured witnesses, namely Jai Parkash and Bimla, have been examined.

Learned senior counsel further submits that out of total 22 prosecution witnesses, only 09 witnesses have been examined so far and it will take a long time in conclusion of the trial.

Learned State counsel, on instructions from ASI Samay Singh, has not disputed the factual position, however, opposed the bail on the ground that it is the petitioner who has inflicted iron rod blow on injured Bimla, which resulted into injury falling under Section 307 IPC.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the fact that the petitioner is in judicial custody for the last about 01 year and 08 months and conclusion of the trial is likely to take a long time, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail bonds and two sureties to the satisfaction of the trial Court/Duty Magistrate concerned.

01.10.2019

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No