

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

CRM-M-33742-2019 (O&M)

Date of decision : 27.08.2019

Manjeet

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Manoj K. Tanwar, Advocate for the petitioner.

Mr. Manish Bansal, DAG, Haryana alongwith
ASI Ramesh Kumar.

ANIL KSHETARPAL, J. (ORAL)

Prayer in the petition is to grant regular bail to the petitioner in FIR No.153 dated 14.05.2018 registered under Section 365 of the Indian Penal Code (Sections 302, 201 of IPC added later on) at Police Station Matlauda, District Panipat, Haryana.

Learned counsel for the petitioner contends that co-accused has been granted bail vide order dated 08.07.2019 in CRM-M-55689-2018. He further submits that first informant has already been examined. He further submits that the petitioner is in custody since 24.05.2018. He further contends that there is no eye-witness and the entire case of the prosecution is based upon the alleged extra judicial confession and recovery of hammer (weapon of alleged offence). He further contends that there is no evidence to connect hammer with the offence.

On the other hand, learned counsel for the State, on instructions from ASI Ramesh Kumar, has submitted that report of the Forensic Science Laboratory is still awaited.

In the present case, prosecution wishes to examine as many as 23 witnesses out of which only 3 witnesses have been examined. Petitioner is in custody for a period more than 1 year and 3 months. The entire case of the prosecution is based upon the circumstantial evidence.

Without commenting on the merits of the case and keeping in view the fact that the conclusion of the trial is likely to take a long time, the petitioner is directed to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

Accordingly, the present petition is allowed.

27.08.2019

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No