

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-36329-2019

Date of Decision: 14.10.2019

Hari Kishan

.. Petitioner

Vs.

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Surinder Singh Duhan, Advocate for the petitioner.

Mr. Parveen Kumar Aggarwal, DAG, Haryana.

...

Inderjit Singh, J. (Oral)

Petitioner Hari Kishan has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.51 dated 23.03.2018, registered at Police Station Sadar Narwana, District Jind, under Sections 302, 201, 34 and 404 of the Indian Penal Code, 1860.

Notice of motion has been issued.

Learned State counsel appeared and contested the instant petition.

I have heard learned counsel for the petitioner as well as learned State counsel and gone through the record.

The FIR was registered by complainant Inderjeet Singh, who states in the FIR that the deceased has died due to heart attack, but the opinion of the doctor is that cause of death is due to asphyxia. The complainant has not supported the prosecution case before the trial Court and has turned hostile.

The petitioner has been in custody since 29.03.2018. He is not required for any investigation or interrogation purposes as he is in judicial custody. The trial of the case may take long time. No useful purpose will be served by keeping him in custody till the final disposal of the case.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bonds in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

14.10.2019
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No