

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

224

CRM-M-41708-2019(O&M)

Date of decision :31.10.2019

NARESH

.....Petitioner

versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Rakesh Nagpal, Advocate,
for the petitioner.
Mr. Vikas Chopra, DAG, Haryana.
Mr. Akshay Panghal, Advocate and
Ms. Amrita Garg, Advocate,
for the complainant.

ANIL KSHETARPAL, J. (ORAL)

Petitioner prays for grant of regular bail in FIR No.618, dated 05.07.2018, registered under Sections 302/365/201/34 IPC and Section 3 of Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 1989, at Police Station City Hisar, District Hisar.

As per the case of the prosecution, Somnath has given a complaint that his brother had been killed. On notice, Somnath along with his counsel is present. He has stated that petitioner was named on the basis of information supplied by someone which after enquiry has been found to be incorrect. Somnath has been identified by the Investigating Officer.

Learned State counsel, on instructions from ASI Ram Niwas, has submitted that the petitioner is involved in 6 more criminal cases, however learned counsel for the petitioner has produced copies of judgments passed in FIR Nos.1432, dated 18.11.2013 and 236, dated 22.03.2014, acquitting the petitioner.

Petitioner is in custody since 05.07.2018. Only one formal witness on behalf of the prosecution has been examined.

Without commenting on the merits of the case as also the stand taken by Somnath, first informant and keeping in view the fact that the petitioner is in custody since 05.07.2018, conclusion of the trial of the case is likely to take a long time, the petitioner is directed to be released on regular bail subject to furnishing of adequate surety to the satisfaction of the trial Court/Duty Magistrate.

Accordingly the petition is allowed with the aforesaid directions.

October 31, 2019
nt

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No