IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-43007-2019 (O&M)
Date of decision : 03.12.2019

Mukesh @ Vikkey

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Ravinder Hooda, Advocate for the petitioner.

Mr. Manish Bansal, DAG, Haryana
alongwith SI Krishan Kumar.

Mr. Raman Chahar, Advocate
for the first informant/complainant.

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ANIL KSHETARPAL, J. (ORAL)

Petitioner prays for grant of bail pending trial in a criminal case arising from FIR No.167 dated 26.02.2018 registered under Sections 148, 149, 302, 216 of the Indian Penal Code at Police Station Jhajjar, District Jhajjar.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR and he is sought to be implicated on the basis of supplementary statement of the first informant/father, who was admittedly not present in town at the time of alleged incident. He submits that the petitioner is in custody since 28.03.2018. He has relied upon order dated 16.10.2019 passed in CRM-M-40878-2019, order dated 23.10.2019 passed

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in CRM-M-43941-2019 and order dated 01.11.2019 passed in CRM-M-45439-2019 by this Court, in the cases of co-accused.

As per the information supplied by learned counsel for the State, on instructions from SI Krishan Kumar, petitioner is not involved in any other case. Investigations are complete. On conclusion of the investigation, police report as required under Section 173 Cr.P.C. has been submitted. Prosecution has recorded depositions of 3 witnesses out of 26 proposed to be examined. Petitioner, therefore, is in judicial custody. He has already suffered incarceration for a period of more than 1 year 8 months.

Without commenting on the merits of the case and keeping in view the aforesaid facts, 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.

03.12.2019 **(ANIL KSHETARPAL)**
Pawan **JUDGE**

Whether speaking/reasoned:- **Yes/No**

Whether reportable:- **Yes/No**

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