

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

214

CRM-M-55986-2018.

Date of Decision: 16.05.2019.

Ravinder alias Binder

....Petitioner.

Versus

State of Haryana

....Respondent.

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr. Rajesh Dhankhar, Advocate, for
Mr. Balkar Singh, Advocate for the petitioner.

Mr. Ashish Sanghi, Deputy Advocate General, Haryana.

Shekher Dhawan, J.

Present petition under Section 439 of the Criminal Procedure Code is for grant of regular bail to petitioner Ravinder alias Binder who is facing trial in case F.I.R. No.4 dated 07.01.2018 under Sections 307, 392, 511 of the Indian Penal Code and Section 25 of the Arms Act, 1959 (later on Section 398 and 201 IPC were added instead of Section 392 IPC), registered at Police Station Bass, District Hansi.

Learned counsel representing petitioner contended that the petitioner is in custody since 12.01.2018 and facing the trial. By now, both the material witnesses, namely Vinod (complainant) and Satish have been examined and none of them has supported the prosecution case. The trial of the case still to take some more time and no useful purpose would be served by detaining the petitioner behind the bars, so he be released on bail.

Learned State counsel affirmed the fact that complainant Vinod as well as other material witness Satish have not supported the prosecution case at trial stage and out of 14 prosecution witnesses, only 04 have been examined.

At this stage, without commenting anything on the merits of the case, which may not cause prejudice to any of the party at a later stage, but taking the above facts into consideration and the fact that material witnesses Vinod and Satish have not supported the prosecution case and the petitioner is in custody since 12.01.2018 and during the trial out of 14 prosecution witnesses, only 04 have been examined; trial of the case still to some more time and no useful purpose would be served by detaining the petitioner behind the bars, the present petition is allowed. Petitioner—Ravinder alias Binder is ordered to be admitted to regular bail on his furnishing adequate bail bond and surety bond to the satisfaction of concerned learned trial Judge/ Chief Judicial Magistrate/ Duty Magistrate.

(SHEKHER DHAWAN)
JUDGE

16.05.2019

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Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No