

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

237

CRM-M-51360 of 2019

Date of Decision: 06.12.2019

Anil

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Sahil Gupta, Advocate, Advocate, for the petitioner.
Mr. Surender Singh, AAG, Haryana.

Amol Rattan Singh, J. (Oral)

By this petition, filed under the provisions of Section 439 of the Cr.P.C., the petitioner seeks the concession of 'regular bail'.

The petitioner having been in custody for almost one year, with the trial nowhere near conclusion as yet, as only 5 prosecutions witnesses out of 21 have been examined and the learned counsel for the petitioner having stated that even as per the case of the complainant, i.e. the wife of the deceased, he had come back home in the morning after he was last seen with the petitioner and his co-accused one evening before and he thereafter having died in the hospital with admittedly alcohol present in his system, without making any comment on the actual merits of the case, for or against the petitioner, with all the prosecution witnesses remaining to be examined being police/Government officials, as per the instructions of the learned State counsel, the present petition is allowed.

The petitioner would be enlarged on bail, upon his furnishing

adequate bail and surety bonds to the satisfaction of the trial Court.

It is made clear that admitting the petitioner to bail even after making the aforesaid observation is only in the context of this petition by which the petitioner seeks bail and as regards the innocence or guilt of the petitioner or his co-accused, the conclusion thereto, would be arrived at by the trial court wholly on the basis of the evidence led before it.

06.12.2019
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(Amol Rattan Singh)
Judge

Whether reasoned/speaking: Yes
Whether reportable: No