

Rajbir

.....Petitioner

versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Mr. Sandeep Kumar Yadav, Advocate
for the petitioner

Mr. Gaurav Bansal, AAG Haryana

Sudhir Mittal, J. (Oral)

The petitioner seeks grant of regular bail in case FIR No. 107 dated 09.05.2019 under Section 302/34 IPC registered at Police Station Sadar Narnaul, District Mohindergarh.

Learned counsel for the petitioner submits that the complainant and the other prosecution witnesses have not supported the case of the prosecution. Thus, as on date there is no evidence against the petitioner. The trial is not likely to be concluded at an early date as only 5 PWs have been examined out of a total of 14 PWs. The petitioner does not have any criminal antecedents and, thus, he may be released on regular bail.

Custody certificate dated 12.12.2019 prepared by Sh. Kuldeep Singh, Deputy Superintendent, District Prison, Narnaul, Mahendra Garh, has been filed in the Court today and the same is taken on record. According to the certificate, the petitioner has undergone actual custody of 7 months and there is no other criminal case pending/decided against him.

Thus, the contention of learned counsel for the petitioner that there is no criminal case pending/decided against him is corroborated by the custody

certificate. The trial is not likely to be concluded at an early date because 9 more prosecution witnesses remain to be examined.

Learned State counsel has not disputed the statement of learned counsel for the petitioner that the prosecution witnesses examined till date have not supported the case of prosecution.

Thus, I deem it appropriate to grant regular bail to the petitioner as well. The petition is allowed and the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

December 16, 2019

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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No