

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

**CRM-M No.30231 of 2018 (O&M)
Date of decision : 02.05.2019**

Sumit

..... Petitioner

versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Nikhil Kumar Vashisht, Advocate for
Dr. Anand Kumar Bishnoi, Advocate
for the petitioner.

Mr. Gaurav Bansal, AAG, Haryana.

AJAY TEWARI, J. (Oral)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case F.I.R. No.98 dated 01.02.2017 registered under Sections 302/201/364/365/34 IPC at Police Station Sadar Hisar, District Hisar, Haryana.

Learned counsel for the petitioner has argued that this is a case of circumstantial evidence and the petitioner has been in custody for more than 2 years and there is no likelihood of the trial to be concluded in the near future.

Custody certificate dated 01.05.2019 by way of affidavit of
Shamsher Singh Dahiya, Superintendent of Prison, Central Jail No.1

(Hissar), Haryana on behalf of State has been filed and the same is taken on record. Copy supplied to the counsel opposite. As per the custody certificate, the petitioner has undergone 2 years, 2 months and 23 days of custody. Learned State counsel further points out that out of 34 witnesses, 25 witnesses have been examined and has accepted the fact that this is a case where there is no direct evidence.

Be that as it may and keeping in view the above facts and the period of incarceration already suffered by the petitioner and without going into the merits of the case, I deem it appropriate to release the petitioner on regular bail to the satisfaction of the concerned CJM/Illaq Magistrate/Duty Magistrate.

Ordered accordingly.

Petition stands allowed.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

02.05.2019

pooja sharma-I

**(AJAY TEWARI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No