

CrI. Misc. No. M-56215 of 2018
Date of Decision: February 05, 2019

Pawan @ Jhandu

.....Petitioner

versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Mr. K.S. Malik, Advocate
for the petitioner

Mr. D.R. Singla, DAG Haryana

Sudhir Mittal, J. (Oral)

The petitioner seeks grant of regular bail in case FIR No. 521 dated 11.06.2018 under Sections 302, 120-B IPC and Section 25 of the Arms Act, 1959 registered at Police Station Sarai Khawaja, District Faridabad.

Learned counsel for the petitioner submits that the petitioner has been in custody since 28.06.2018. The investigation is complete but the trial is not likely to be concluded at an early date as only 8 PWs have been examined out of total of 32 PWs. The petitioner does not have any criminal antecedents. The story of the prosecution qua the petitioner is extremely far fetched and there is no direct evidence against him, thus the petitioner be granted regular bail.

Learned State counsel does not dispute that only 8 PWs have been examined out of total of 32 PWs and that the complainant also stands examined. However, it is submitted that the petitioner is accused of serious offence and, thus, he does not deserve to be released on regular bail.

In view of the fact that the petitioner does not have any criminal antecedents and that the trial is not likely to be concluded at an early date; without commenting upon the merits of the controversy, it would be just and appropriate to release him on regular bail.

Accordingly, 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 concerned.

February 05, 2019

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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No