

In the High Court of Punjab and Haryana at Chandigarh

**CRM-M No. 2711 of 2020
Date of Decision: 28.1.2020**

Jage Ram

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

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

Mr. Rahul Mohan, DAG, Haryana.

HARNARESH SINGH GILL, J. (ORAL)

The petitioner seeks regular bail in FIR No. 15 dated 17.1.2019 under Sections 302, 201, 34 and 120-B IPC and Section 25 of the Arms Act, registered at Police Station Sector-5, Gurugram, District Gurugram.

Learned counsel for the petitioner submits that in the present case, the star witnesses i.e. PW-2 Rajpal and PW-3 Sanjay Rathi have resiled from their earlier statements. Moreover, co-accused Kanhiya @ Kanhi, Kamlesh and Sweety have already been granted regular bail by this Court. Learned counsel further submits that the petitioner has been in custody since 20.1.2019.

Learned State counsel, on instructions from SI Dev Charan, submits that it was the petitioner, on whose disclosure statement, the dead body was recovered. He further states that out of 34 prosecution witnesses, 03 witnesses have been examined and the next date before the trial Court is

fixed for 13.2.2020.

It is a case in which the star witnesses have resiled from their earlier statements and one of the witness has disputed his signatures on the recovery memo. The co-accused of the petitioner has been granted regular bail by this Court. The petitioner has been in custody since 20.1.2019. Out of 34 prosecution witnesses, only 03 witnesses have been examined. The trial will take time to conclude. No useful purpose would be served by keeping the petitioner behind the bars.

Without commenting anything on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

January 28, 2020
Gurpreet

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No