

CRM-M-12401-2020

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

CRM-M-12401-2020

Date of Decision: 3rd June, 2020

Suraj

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present Mr. Vivek Goyal, Advocate
 for the petitioner.

Mr. Apoorv Garg, DAG, Haryana.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioner has approached this Court for grant of regular bail by filing this petition under Section 439 of the Code of Criminal Procedure, 1973, in FIR No.259, dated 04.06.2019, registered at Police Station Indri, District Karnal, under Sections 307, 436 and 34 of the Indian Penal Code.

It is contended that the petitioner has been implicated in this case on the basis of supplementary statement recorded by the complainant. He contends that in the supplementary statement, it is asserted by the complainant that on their enquiry, they have come to know that the petitioner along with other co-accused is involved in the commission of the offence. Prosecution, apart from that supplementary statement, has not been able to collect any other evidence except for the CCTV footage where also faces of the persons involved in the commission of offence nor the number of alleged motorcycle is visible. He submits that the petitioner is in custody

CRM-M-12401-2020

since 02.01.2020 and has completed more than five months. He further submits that although the charge has been framed but the trial is not likely to conclude soon as the next date of hearing before the trial Court is 30.07.2020. He, therefore, prays that the petitioner may be granted the concession of regular bail.

Counsel for the State submits that the petitioner along with others have put the tarpolin tent of the complainant on fire where the footwear goods were kept. The complainant was also sleeping there but intentionally it was set on fire. His contention is that although it appears the CCTV footage does not make it clear with regard to the identity of the accused or the number of the motorcycle involved in the commission of offence but that does not mean that the petitioner is not involved in the offence. His submission is that the petitioner be not granted the concession of regular bail.

I have considered the submissions made by the learned counsel for the parties.

The next date of hearing before the trial Court is 30.07.2020. As of now, petitioner has completed more than five months in custody. The trial is not likely to conclude in near future as till date, no prosecution witness has been examined.

Keeping in view the fact and circumstances of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail and surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate,

CRM-M-12401-2020

Karnal.

Any observation made herein-above shall have no bearing on the merits of the case during the trial in any manner.

3rd June, 2020
Harish

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No