

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

Sr. No.206

CRM-M-13298-2020

Date of decision: 02.07.2020

Sanjeev Kumar

....Petitioner

versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Nirmal Singh, Advocate
for the petitioner.

Mr. Vikrant Pamboo, DAG, Haryana.

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DEEPAK SIBAL, J. (Oral)

Case taken up through video conferencing.

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail in FIR No.170 dated 23.09.2019, registered under Sections 328, 365, 506 IPC, 1860, Sections 4, 12 POSCO Act, 2012 and section 67(A) of Information Technology Act, 2000 at Police Station Babain, District Kurukshetra.

Seeking regular bail for the petitioner learned counsel submitted that the petitioner has been falsely implicated in this case; is not involved in any other criminal case; as per the MLR there is no external injury mark on the body of the victim; he is in custody since 26.09.2019; while appearing before the Trial Court the victim has not towed the line of the prosecution and that the trial is likely to take a long time to conclude.

Learned State counsel does not dispute the above factual position but seeks dismissal of the bail of the petitioner on the ground that the petitioner is alleged to have committed serious offences.

In view of the fact that the petitioner is in custody since 26.09.2019; is not involved in any other criminal case; the trial is likely to take a long time to conclude and that while appearing before the Trial Court the victim has not towed the line of the prosecution and has turned hostile, no useful purpose would be served in further incarceration of the petitioner.

In view of the above, the present case is considered to be a fit one in which the petitioner be directed to be released on regular bail. Resultantly, subject to the satisfaction of the CJM/Duty Magistrate, Kurukshetra, the petitioner is directed to be released on bail.

It is clarified that the above observations have been made only for the limited purpose of deciding the present regular bail application and the same would not be construed to be an expression of opinion on the merits of the case.

(DEEPAK SIBAL)
JUDGE

July 02, 2020
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Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No