

CRM-M-25341-2020

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

CRM-M-25341-2020 (O & M)

Date of decision: 03.09.2020

Chuttan

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Munfaid Khan, Advocate,
for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG, Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

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This is an application for grant of exemption from filing the court fee and welfare stamp on the power of attorney.

Disposed of with a direction to the petitioner to deposit the court fee on-line forthwith. He is also directed to make good the bar council fee once the pandemic situation is over.

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Through this petition, the petitioner seeks regular bail in case FIR No.242 dated 23.03.2019, registered at Police Station Nuh, District Nuh, under Section 302 IPC.

As per the prosecution version, Sunil, son of complainant, was done to death by strangulation by the petitioner as he had a doubt that his wife had illicit relations with Sunil. On the complaint of complainant, Pan

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Kunwar, the above-noted FIR was registered.

Learned counsel for the petitioner contends that the complainant was not residing at the place where the occurrence had taken place. He further contends that PW 2 complainant-Pan Kunwar and PW Pooja, sister of deceased, while stepping into the witness-box, have not supported the prosecution version and have been declared hostile.

Per contra, learned State counsel opposes the prayer made in the present petition. However, he does not dispute the fact that PW Pan Kunwar and PW Pooja have been declared hostile. He, on instructions from ASI Sant Lal, submits that 09 witnesses, out of 16 prosecution witnesses, have been examined.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 30.03.2019. Trial of the case would take time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

03.09.2020

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No