

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

CRM-M-32060-2019 (O&M)
Decided on : 24.01.2020

Deepak

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. R.S.Mamli, Advocate
for the petitioner.

Mr. Ashish Sanghi, DAG, Haryana
assisted by ASI Anil Kumar.

Manjari Nehru Kaul, J.

CRM-1891-2020

Application is allowed as prayed for and copy of the statement of PWs (Annexure P-3) is taken on record subject to all just exceptions.

CRM-M-32060-2019

Instant petition has been filed under Section 439 Cr.PC for grant of regular bail to the petitioner in case FIR No.489 dated 05.08.2018 registered under Sections 201, 304-B, 302 IPC (subsequently added) at Police Station Samalkha, District Panipat.

Learned counsel for the petitioner contends that the complainant and two other material witnesses did not support the case of the prosecution and were declared hostile. It has further been contended that the petitioner is behind bar since 06.08.2018 and no useful purpose would be served by keeping the petitioner in custody as the trial is unlikely to conclude in the near future.

On the other hand, learned State counsel has opposed the bail

application and on instructions from ASI Anil Kumar submitted that no doubt complainant and two other material witnesses did not support the case of the prosecution but there are serious allegations levelled against the petitioner.

Without commenting on the merits of the case and keeping in view the fact that the petitioner is in custody since 06.08.2018 and trial is unlikely to be concluded in the near future, no useful purpose would be served by keeping the petitioner in custody. In the circumstances, present petition is allowed and the petitioner is admitted to bail to the satisfaction of the trial court/Duty Magistrate concerned. However, it is clarified that nothing observed herein above would be construed as an expression on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

24.01.2020
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Whether speaking/reasoned:	Yes/No
Whether reportable :	Yes/No