

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

CRM-M-36036-2019 (O&M)
Decided on :12.03.2020

Sumit

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Vineet Kumar, Advocate
for the petitioner.

Mr. Munish Sharma, AAG, Haryana
assisted by ASI Hari OM.

Manjari Nehru Kaul, J.

Instant petition has been filed under Section 439 Cr.PC for grant of regular bail to the petitioner in case FIR No.420 dated 22.10.2018 registered under Sections 304-B/34 IPC at Police Station Sadar Gohana, District Sonipat (Annexure P-1).

Learned counsel for the petitioner contends that false and fabricated FIR has been foisted upon the petitioner. It has been further contended that out of total 15 prosecution witnesses 11 including the complainant have been examined as on date. The complainant did not support the case of the prosecution and was declared hostile. The petitioner is in custody since 04.11.2018 and the trial is unlikely to conclude in the near future.

Learned State counsel while opposing the bail application, has not been able to controvert the submissions made by learned counsel for the petitioner that the complainant did not support the case of the prosecution and was declared hostile.

Keeping in view the fact that the petitioner has been behind bars since 04.11.2018 and the trial is unlikely to conclude 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. It is however, made clear that nothing observed herein above would be construed as an expression on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

12.03.2020

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