

In the High Court of Punjab and Haryana at Chandigarh

CRM-M No. 36907 of 2019

Date of Decision: 19.2.2020

Suresh Pal

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Keshav Pratap Singh, Advocate
for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG, Haryana.

HARNARESH SINGH GILL, J. (ORAL)

The petitioner seeks regular bail in FIR No. 328 dated 17.12.2016 under Section 346 IPC (Sections 120-B, 201, 302, 34 IPC were added later on) registered at Police Station Chandimandir, District Panchkula.

Learned counsel for the petitioner submits that in the present case, the petitioner has been involved on the disclosure statement suffered by Navita @ Lovely on 22.11.2018 recorded after two years. Moreover, Shelly aged 12 years, who is an eye witness, daughter of deceased Sudha, has not named the petitioner in her statement recorded under Section 164 Cr.P.C. nor the petitioner has been named in the FIR and it is a case in which initially the cancellation report was filed on 31.12.2019. He further submits that the petitioner has been in custody since 1.12.2018.

Learned State counsel, on instructions from HC Sanjeev Kumar, submits that in the present case challan has been presented and out of 26 prosecution witnesses, 02 witnesses have been examined.

The petitioner has been in custody since 1.12.2018. Out of 26 prosecution witnesses, only 02 witnesses have been examined. The trial will take time to conclude. No useful purpose would be served by keeping the petitioner behind the bars.

Without commenting anything on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

February 19, 2020
Gurpreet

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