

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

**CRM-M-52229-2019 (O&M)
Date of Decision: 18.5.2020**

Om Singh

...Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR.JUSTICE RAJIV NARAIN RAINA

Present: Mr. Rakesh Kumar Lathwal, Advocate
for the petitioner.

RAJIV NARAIN RAINA, J. (Oral)

Case is taken up for hearing today through video conferencing due to pandemic of COVID-19.

CRM-10749-2020

CM is allowed as prayed for.

Annex. P-2 to Annex. P-5 are taken on record.

CRM-M-52229-2019

1. This is the first application filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner pending trial in case FIR No. 550 dated 20.10.2018 under Section 302, 34 IPC.

2. Learned counsel for the petitioner contends that he had been falsely implicated in the case. He further contends that after registration of FIR, the investigating agency recorded the statement of one Ajit U/s 161 Cr.P.C. where he claimed that petitioner is involved in the conspiracy of committing murder on the basis of hearsay evidence and on the basis of this statement, the petitioner was arrested but there is no recovery on his part.

3. Notice of motion.
4. On the asking of the Court, Mr. Saurabh Mohunta, DAG Haryana accepts notice on behalf of the State.
5. I have heard learned counsel for the parties and gone through the paper-book.
6. Learned counsel for the petitioner submits that there are 29 witnesses cited who are yet to be examined, evidence of whom has not been started.
7. The petitioner is in custody since 31.10.2018 and has spent about a year and 7 months in jail. It appears to be a fit and proper case for grant of bail pending trial. In view of the above, this petition is allowed. The petitioner is directed to be released on regular bail subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court. Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

(RAJIV NARAIN RAINA)
JUDGE

18.5.2020

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