

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

201

Criminal Misc. No. M-54281-2019(O&M)
Date of Decision: 28.05.2020

Saddam alias Chhotu

... Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Sarfraj Hussain, Advocate,
for the petitioner.

Mr. Deepak Sabharwal, Addl.A.G.,Haryana.

ANIL KSHETARPAL, J.

The petitioner-Saddam @ Chhotu son of Sadiq prays for grant of bail pending trial in a criminal case arising out from FIR No.304, dated 11.08.2017, registered under Sections 148/149/302/120-B IPC, at Police Station Tauru, District Mewat.

As per the case of the prosecution, the first informant saw 7/8 young boys consuming liquor in an adjoining plot, who later on entered into a fight amongst themselves. Saddam and Sandip hit the deceased with punches and wooden stick. The first informant when appeared as a prosecution witness did not identify the petitioner as an accused.

Hearing of the case was held through video conferencing on account of lock-down.

Learned counsel for the State submits that there are two accused with the same name i.e. Saddam and the identity of the petitioner is in dispute.

The petitioner is in custody since 12.09.2017. As per the information supplied by learned counsels for the parties, the prosecution has yet to examine 12 more witnesses.

Without commenting on the merits of the case and keeping in view the fact that the petitioner is in custody since 12.09.2017 and conclusion of the trial is likely to take some time, the petitioner is directed to be released on regular bail subject to furnishing of adequate surety to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, concerned.

Accordingly, the petition is allowed with the aforesaid directions.

(ANIL KSHETARPL)
JUDGE

May 28, 2020
“nt”

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