

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

(Heard through VC)

CRM No.33947 of 2021 in/and
CRM-M-10981-2021 (O&M)
Date of Decision: October 11, 2021

Vinod Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Vivek Sheoran, Advocate
for the petitioner.

Ms. Mahima Yashpal, DAG Haryana.

JAISHREE THAKUR, J. (Oral)

CRM-33947-2021

This is an application that has been filed seeking to prepone hearing in the main case, which is now listed for 25.11.2021.

For the reasons mentioned in the application, the same is allowed. Hearing in the main case is preponed and the same is taken up today.

CRM-M-10981-2021

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.311 dated 18.09.2019, under Sections 307, 323, 34, 354, 406, 498-A of Indian Penal

Code registered at Police Station Murthal, wherein police report dated 21.11.2019 has been filed under Sections 307, 323, 34, 354, 406, 498-A of Indian Penal Code.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 20.10.2019. It is submitted that the petitioner has been falsely implicated in the present case, while further contending that statement of material witnesses i.e. complainant and his brother have been recorded. It is also contended that conclusion of trial will take sufficient time, as 16 witnesses are yet to be examined, as such, the petitioner is entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, opposes the grant of regular bail to the petitioner, while contending that the petitioner, who is the husband of the complainant, has been nominated as an accused under Section 307 IPC along with others, as he tried to strangle the complainant, his wife. However, she does not dispute the fact that statement of complainant and her brother have been recorded and 16 witnesses are yet to be examined.

I have heard learned counsel for the parties.

In view of the facts that the petitioner herein has been in custody since 20.10.2019, statement of material witnesses i.e. complainant and her brother have been recorded and conclusion of trial is likely to take sufficient time, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without commenting on the merits of the case, the instant petition is allowed and the petitioner is directed to be released on

regular bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate.

However, anything observed or said by this court is only for the purpose of deciding the instant petition for grant of regular bail and the same shall have no affect on the merits of the case.

October 11, 2021
vijay saini

(JAISHREE THAKUR)
JUDGE

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