

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

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CRM-M-28037-2021

Date of decision : 16.08.2021

MANJEET

...Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

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

Ms. Upasana Dhawan, A.A.G., Haryana.

SUDHIR MITTAL, J. (Oral)

This is the second petition for grant of regular bail to the petitioner in case FIR No.300 dated 06.10.2019 registered under Sections 148, 149, 323, 324, 307, 302, 506 IPC and Sections 25/54/59 of Arms Act at Police Station Sadar Gohana, District Sonapat.

The first bail petition was rejected on 17.09.2020 on merits, vide order of even date passed in CRM-M No.17779 of 2020.

Learned counsel for the petitioner submits that after passing of the aforementioned order, eye witness, namely, Shiv Kumar son of Rameshwar was examined on 22.02.2021 and he failed to recognise the petitioner in Court. Thus, it has been submitted that the petitioner has been wrongly accused of murder.

Custody certificate dated 14.08.2021 prepared by Deputy Superintendent, District Prison, Rohtak, Haryana has been circulated. The same is taken on record. According to the custody certificate, the petitioner has undergone 1 year, 10 months and 3 days and there is one other criminal case pending against him in which he has been granted regular bail.

Learned State counsel has not been able to contradict the submission made on behalf of the learned counsel for the petitioner.

Thus, keeping in view the custody period of the petitioner as well as the fact that the eye witness has failed to recognise the petitioner in Court, I deem it appropriate to grant regular bail to the petitioner.

Accordingly, the petition is allowed and the petitioner is directed to be released on bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(SUDHIR MITTAL)
JUDGE

16.08.2021

jyoti-II

Whether speaking / reasoned : Yes No

Whether Reportable : Yes No