

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(212)

CRM No. M-35696-2021

Date of Decision : 06.09.2021

Satish @ Sita

....Petitioner

Versus

State of Haryana

.....Respondent

(through video conferencing)

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Chirag Kundu, Advocate for the petitioner.

Mr. Karan Garg, Assistant Advocate General, Haryana.

Harsimran Singh Sethi, J. (Oral)

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail to the petitioner in FIR No. 363 dated 02.10.2019, registered under Sections 302, 120-B, 34 IPC, at Police Station Kalanaur, District Rohtak.

Learned counsel for the petitioner argues that the petitioner is behind the bars for the last more than one and a half years and the complainant has already been examined. Learned counsel for the petitioner submits that the petitioner has only been roped in the present case on vague allegations alleged by the complainant though, nothing has been pointed out as to the motive of the petitioner to commit such kind of offence. Learned counsel further submits that after examination of the material witness i.e. the complainant, who has not supported the prosecution, no useful purpose will be served in keeping the petitioner behind the bars.

Notice of motion.

Mr. Karan Garg, learned Assistant Advocate General, Haryana, who has joined the proceedings through video conference, keeping in view the service of advance copy of petition, accepts notice on behalf of the respondent-State.

Learned State counsel submits that though the complainant has already been examined but another material witness, namely, Raman, is yet to be examined.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

Keeping in view the fact that the complainant has already been examined and the trial is likely to take some time before it concludes, the petitioner has undertaken before this Court that he will not influence the trial in any manner and will maintain good conduct, if he is granted bail and in case of default of the undertaking, the State will be at liberty to approach this Court for passing appropriate orders and no useful purpose will be served in keeping the petitioner behind the bars, petitioner has made out a case for the grant of regular bail.

The petitioner is directed to be released on regular bail in this case subject to the satisfaction of the trial Court/Duty Magistrate concerned.

However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

September 06, 2021
kanchan

(HARSIMRAN SINGH SETHI)
JUDGE

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