

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-44035 of 2021

Date of Decision:-29.11.2021

Rajesh @ Raja.

.....Petitioner.

Versus

State of Haryana.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present:- Mr. Harkesh Manuja, Advocate for the Petitioner.

Mr. P.P. Chahar, DAG Haryana.

SURESHWAR THAKUR, J.(ORAL)

1. FIR No.228 of 19.04.2021, constitutes therein offences under Sections 323, 365, 377, 342, 201 and 34 IPC and, is lodged at Police Station Samalkha, Panipat, therein the incriminating offences are attributed to be committed by the bail applicant.

2. Though the learned State Counsel vehemently opposes the grant of bail to the bail petitioner, on the ground that there is sacrosanct scientific evidence, with respect to the guilt of the accused, in the afore offences. However, the afore scientific evidence, may be a factor, for the learned trial judge, in his proceeding to record a decision, in accordance with law, upon, the trial entered into by him.

3. Be that at it may, since the bail applicant is in judicial custody since last about 07 months, thereupon it is not deemed to prolong his

custody, as after presentation of challan against him before the learned trial Judge, and, after the charge being framed against him, the prosecution evidence has opened.

4. Consequently, the instant petition is allowed, and, the petitioner-bail applicant is ordered to be released from judicial custody. However, the granting of bail, is subject to the bail applicant-petitioner furnishing personal and surety bonds in the sum of Rs. 50,000/- each, before the learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned, and, also subject to his not tampering with prosecution evidence, and, his not influencing prosecution witnesses, and, besides also his appearing before the trial Court concerned, as and when directed to make his personal appearance, and, that in case a verdict of conviction is pronounced against him in respect of the drawn charges qua him, thereupon, he shall appear before the trial Court for his receiving the sentence.

5. Disposed of.

(SURESHWAR THAKUR)
JUDGE

November 29, 2021
Vinay

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