

214 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-2365 of 2022(O&M)

Date of Decision: 10.11.2022

Arjun Yadav

...Petitioner

Versus

State of Haryana

...Respondent

CORAM :HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. A.P.S. Deol, Sr. Advocate with
Mr. Vishal R. Lamba, Advocate
For the petitioner.

Mr. Vishal Kashyap, AAG Haryana.

KARAMJIT SINGH, J.

CRM-19912 of 2022

Application is allowed and Annexures P-8 to P-14 are taken on
record.

CRM-M-2365 of 2022

The present petition has been filed by the petitioner under
Section 439 Cr.P.C. seeking regular bail in case having FIR No. 282 dated
11.10.2020, registered under Sections 302 read with Section 34 IPC at
Police Station Kosli, District Rewari.

The counsel for the petitioner submits that FIR in this case was
registered against unknown persons with regard to murder of Usha daughter
of Vijay Pal, on the basis of the statement of complainant Krishan Kumar.
The counsel for the petitioner further submits that the petitioner is in custody
for the last more than 02 years and during trial aforesaid Krishan Kumar and
other material witnesses are examined but they failed to support the case of

prosecution as is clear from Annexures P-8 to P-14. The counsel for the petitioner further submits that in the given circumstances no purpose is going to be served by keeping the petitioner in custody for any further period.

The present petition is opposed by the State counsel. However, the State counsel has not refuted the fact that the material witnesses are already examined and copies of their statements are Annexure P-8 to P-14.

I have considered the submissions made by counsel for the parties.

As per the custody certificate furnished by the State counsel the petitioner is behind the bars for the last more than 02 years and is having no criminal history. As per Annexures P-8 to P-14 all the material witnesses including the complainant have failed to support the case of the prosecution. However, it will take time for the trial to conclude.

In view of the above, no purpose is going to be served by keeping the petitioner in custody for any longer period. Thus, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

10.11.2022
Jiten

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No