

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

CRM-M-11936-2022

Date of decision: 12.05.2022

Jasvinder Singh @ Sanky and another

...Petitioners

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Yashveer Kharb, Advocate,
for the petitioners.

Mr. Surender Singh, AAG, Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioners seek regular bail in case FIR No.457 dated 08.11.2021, registered at Police Station Model Town, District Panipat, under Sections 379-A IPC and Sections 201 and 34 IPC (added later on).

Learned counsel for the petitioners submits that though the petitioners have been in custody since 06.12.2021, yet complainant-Abhay Kumar while appearing before the trial Court as PW 1 on 06.05.2022, did not support the prosecution version. He further contends that there is no other case registered or pending against the petitioners, at least under Section 379-A IPC.

On the other hand, learned State counsel opposes the prayer for the grant of regular bail to the petitioners. However, he does not dispute the fact that the complainant has not supported the prosecution version.

I have heard the learned counsel for the parties.

The petitioners have been in custody since 06.12.2021. As noticed above, the complainant (PW 1) has not supported the prosecution version and has been declared hostile. The other prosecution witnesses are yet to be examined. There is no other case registered or pending against the petitioners, at least under Section 379-A IPC. The petitioners have been in custody since 06.12.2021. Trial is unlikely to conclude any time soon. Therefore, no useful purpose would be served by keeping the petitioners behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioners are ordered to be released on bail on their furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

12.05.2022

parveen kumar

**(HARNARESH SINGH GILL)
JUDGE**

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No