

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-19744-2022

Date of Decision: 16.5.2022

Harsh

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Ketan Antil, Advocate
for the petitioner.

Mr. Naveen Kumar Sheoran, DAG, Haryana.

KARAMJIT SINGH, J.

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.708 dated 3.12.2021 registered for the offences punishable under Sections 307, 34 IPC and Sections 25, 54 of Arms Act at Police Station Sonipat City, District Sonipat.

The counsel for the petitioner contends that during the trial, complainant-Aryan and eye-witness namely Yashwant failed to support the case of the prosecution.

The State counsel as well as the counsel for the complainant have admitted the fact that the complainant and eye-witness have resiled during the trial. Copies of their statements are already placed on record as Annexure P-2 and Annexure P-3.

The FIR in the present case was registered on the basis of statement of Aryan, in which, he alleged that the petitioner attacked him

with knife and caused injuries to him and even his accomplice also attacked and caused injuries to him.

Admittedly, complainant-Aryan and eyewitness namely Yashwant while appearing in the witness-box have not supported the case of prosecution. It will take time for conclusion of the trial. So, 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 petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail and surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate concerned.

May 16, 2022
Paritosh Kumar

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No