

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

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CRM-M-32042-2021 (O&M)

Date of Decision: 02.02.2022

Bajrang

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. R.D.Rattewal, Advocate, for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

CRM-2717-2022

For the reasons mentioned in the application, the same is allowed and the documents i.e. statement of Narender and marriage card annexed with the application are taken on record as Annexures P-7 & P-8 subject to all just exceptions.

CRM-M-32042-2021

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered against him vide FIR No.33 dated 25.02.2019 at Police Station Sadar Hansi, District Hansi, under Sections 302/34 IPC.
2. The FIR in question was lodged at the instance of Vinay @ Mithu pertaining to alleged murder of Ashok @ Shocky, wherein it is alleged that the petitioner had caused his death with the help of a knife.

3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and that during the proceedings of trial, while some of the PWs were given-up, the remaining who were examined have not supported the case of the prosecution.
4. The aforesaid position is not disputed by the learned State counsel, who has also informed this Court that the petitioner as on date has been behind bars since the last about 2 years and 11 months. Learned State counsel has, however, informed that the petitioner happens to be involved in 13 other cases out of which he stands acquitted in 6.
5. I have considered rival submissions addressed before this Court.
6. Having regard to the fact that none of the eye-witness has supported the case of the prosecution and that the petitioner, otherwise, has been behind bars for a substantial period of about 2 years & 11 months, further detention of the petitioner will not serve any useful purpose as the conclusion of trial will take some time. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

02.02.2022

Vimal

(GURVINDER SINGH GILL)**JUDGE**Whether speaking/reasoned: **Yes/No**Whether reportable: **Yes/No**