

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

CRM-M-41298-2022
Date of Decision:-**21.12.2022**

PARDEEP @ BAGRU

... Petitioner

Versus

STATE OF HARYANA

... Respondent

-.-

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

-.-

Present:- Mr. Amit Chaudhary, Advocate
for the petitioner.

Mr. Vishal Kashyap, DAG, Haryana.

-.-

KARAMJIT SINGH, J. (Oral)

Prayer is for grant of regular bail in case having FIR No.193 dated 24.10.2018 registered under Sections 323, 452, 506/34 and Section 307 IPC added subsequently at Police Station Jakhal, District Fatehabad.

The counsel for the petitioner *inter alia* contends that the petitioner has been falsely implicated in this case and is incarcerated since 25.10.2018 and during trial, complainant-injured Abhishek while appearing in the witness box, has not supported the case of the prosecution and copy of his testimony is Annexure P-2 and even the mother of the complainant was declared a hostile witness and copy of her testimony is Annexure P-3.

The instant petition is resisted by the State counsel, who on instructions from ASI Sohan Singh has not disputed the fact that complainant and her mother have been declared hostile during trial and has not disputed the custody period undergone by the petitioner.

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

In view of the above, as the material witnesses have failed to support the case of prosecution, so no purpose is going to be served by keeping the accused behind the bars 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.

21.12.2022
Gaurav Sorot

(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No