

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

Sr. No.210

CRM-M-6599-2023

Date of Decision : February 13, 2023

Kuldeep Singh and another

...Petitioners

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Paramjit Singh Jammu, Advocate, for the petitioners.

Mr. Deepak Grewal, DAG, Haryana.

SUDHIR MITTAL, J. (ORAL)

This petition has been filed for grant of regular bail in FIR No.298, dated 26.06.2022, registered at Police Station Sadar Dabwali, District Sirsa, under Sections 147, 148, 149, 307, 323, 341, 506 IPC and Section 25 of Arms Act, 1959.

Learned counsel for the petitioners submits that the petitioners have been in custody for over six months. The trial is not likely to be concluded at an early date as only 03 Pws have been examined till date out of a total of 20 Pws. Three witnesses examined have not supported the prosecution version and they include the complainant, his father as well as injured person. Thus, the petitioners may be granted regular bail.

Custody certificates dated 10.02.2023 and 09.02.2023 respectively digitally signed by Sh.Ramesh Kumar, Deputy Superintendent, District Prison, Sirsa have been filed in Court. The same are taken on record. A perusal thereof show that petitioner No.1 has undergone actual custody of 06 months and 08 days and there are two other criminal cases

pending against him in one of which is under Section 138 of Negotiable

Instruments Act, 1881 and the details of the second case are not forthcoming. Petitioner No.2 has undergone actual custody of 06 months and 07 days and there is no other criminal case pending against him.

Learned State counsel concedes that only 03 Pws out of a total of 20 Pws have been examined till date and that the principal witnesses have not supported the prosecution version.

In view of the above, it is evident that the trial is not likely to be concluded at an early date. The petitioners have undergone actual custody in excess of six months and their conviction seems to be unlikely in view of the principal witnesses having turned hostile.

The petition is allowed. They are ordered to be released on bail on their furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

Nothing stated hereinabove shall be construed as an opinion on the merits of the case.

February 13, 2023

Ankur

(SUDHIR MITTAL)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	No